

52, 55

**FILED**  
CIVIL RIGHTS

AUG 25 2008

2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(Initial)

Name GARCIA DANNY  
(Last) (First)

Prisoner Number MCSP CH13- 142 P.O. Box 409060

4/ V-30568

Institutional Address IOWE CA 95640

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DANNY GARCIA  
(Enter the full name of plaintiff.)

CV 08

4039

SI

(Enter the full name of plaintiff in this action.)

vs.

(to be provided by the clerk of court)

COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C §§ 1983

(PR)

(Enter the full name of the defendant(s) in this action))

## E-filing

*[All questions on this complaint form must be answered in order for your action to proceed..]*

## I. Exhaustion of Administrative Remedies

**[Note:** You must exhaust your administrative remedies before your claim can go forward. The court will dismiss any unexhausted claims.]

A. Place of present confinement mule creek state prison

B. Is there a grievance procedure in this institution?

YES (☒) NO ( )

C. Did you present the facts in your complaint for review through the grievance procedure?

YES ☒ NO ( )

D. If your answer is YES, list the appeal number and the date and result of the

1 appeal at each level of review. If you did not pursue a certain level of appeal,  
2 explain why.

3 1. Informal appeal Medical AND Segregation  
4 Hearings AND Rights AND Responsibility Statement  
5 Noted: 'No' Log Not. 2. First

6 formal level Medical: AND Safety NEED PUSP-S-CH-  
7 CAS 13. Segregation Hearings Noted:

8  
9 3. Second formal level Medical Salinas Valley State  
10 Prison Staff Reviewer CTC. SUSP Log NOT  
11 SUSP-D-02-00403: Noted 4 Third

12 formal level Medical at Salinas Valley State Prison  
13 Assigned Staff Reviewer: CTC. Appeal ISSUES  
14 March 15, 2006: 'No' Log NOT noted.

15 E. Is the last level to which you appealed the highest level of appeal available to  
16 you?

17 YES (X) NO ( )

18 F. If you did not present your claim for review through the grievance procedure,  
19 explain why. I have went through all the proper Relief into  
20 the C.D.C. Procedure with zero Result but have all  
21 the Exhibits to back up my claim into this action.

22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
24 if any.

25 All of California State Prison dealing with California  
26 Prison of the CDC with the Citizen's Complaint  
27 9/16/02: Superior Court of Butte County 12/17/02:

28 B. Write the full name of each defendant, his or her official position, and his or her

place of employment.

All of the defendants work throughout California Department of Corrections here in CDC. This is all fall under the Title 15 under Local Rules of the California Case law with the Penal Code Section that can prove of all the information. III.

#### Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

Responsibility of Employees: Every employee regardless of his or her assignment, is responsible for the safe custody of the inmates confined in the institutions of the the department. Then the defendant has (602) in all Angeles Cd) to transfer Appeals here at Mule Creek State Prison. A decision for transfer to another institution may be appealed by the affected inmate after endorsement by the classification staff representative. (1) Filing of an appeal of a transfer decision shall not normally, be cause to stay or delay a transfer. (2) Regular transfer appeals (A) Informal and First level of appeal shall be waived (E) Second level review shall be conducted by the institution head. The board's decision.

#### IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

(3) If the inmate believes any act of reprisal resulted from

1 THE GRIEVANCE AN APPEAL OF THE ALLEGED REPRISAL MAY BE  
2 FILED THROUGH THE DEPARTMENT'S NORMAL PROCESS (2) IF AN  
3 APPEAL IS NOT RECEIVED PRIOR TO THE END OF THE 15 DAY OF  
4 AN APPELLANT'S RECEIPT OF WRITTEN NOTICE OF THE  
5 RECOMMENDATION TO EXCLUDE, ALL PREPARED DOCUMENTATION  
6 SHALL BE FORWARDED TO THE COMMITTEE COURT.

7 I declare under penalty of perjury that the foregoing is true and correct.

8  
9 Signed this 18th day of August, 20 08

10  
11 /s/ Danny Garcia

12 (Plaintiff's signature)

Danny Garcia V30568  
M.C.S.P. C13 142 P.O. Box - 409060  
Ione Ca 95640

United States District Court  
Northern District Of California

Danny Garcia  
Plaintiff,  
v.  
\_\_\_\_\_  
Defendant  
\_\_\_\_\_

Complaint For Declartory Relief & Montary  
Damages 42 U.S.C. 1983) Civil Rights Action

Northern District Of California  
450 Golden Gate Ave Box 36060  
San Francisco Ca 94102

Danny Garcia V30568  
M.C.S.P. C13 142 P.o. Box - 409060  
Ione Ca 95640

United States District Court  
Northern District Of California

Danny Garcia )  
Plaintiff, )  
v. )  
\_\_\_\_\_)  
Defendant )  
\_\_\_\_\_)

Complaint Under The Civil Rights Act 42 U.S.C. 1983

Northern District Of California  
450 Golden Gate Ave Box 36060  
San Francisco Ca 94102

Danny Garcia V30568  
M.C.S.P. C13 142 P.O. Box - 409060  
Ione Ca 95640

United States District Court  
Northern District Of California

Danny Garcia )  
Plaintiff, )  
v. )  
\_\_\_\_\_)  
Defendant )

**Complaint For Declaratory Relief And Montetary  
Dameges (42 U.S.C. 1983 Civil Rights Action**

Plaintiff, Danny Garcia; allege as follows:

I.

Introduction

This is a Civil Rights Complaint for Declartory Relief and Montetary Damages brought over the use of unreasonable, unnecessary and excessive force in violation of the legal rights of plaintiff Danny Garcia while he is incarcerated at The California State Prison.

II.

Jurisdiction And Venue

1. This is a civil Rights Action under 42 U.S.C. 1983 to redress the deprivation under color of state law of rights, privileges an immunties guaranted by the 8th Amendment of the United States Constitution.

This Court has jurisdiction pursuant to 28 U.S.C. 1331 and 1343.

2. This Court has jurisdiction over plaintiff Dany Garcia action for declartory relief pursuant to 28 U.S.C. 2201. and Rules 57, of the Federal Rules of Civil Procedure.

3. Venue is proper in the Northern District of California under 28 U.S.C. 1391(b)-(2) because a substantial part of the events giving rise to the claim occured throughout the CDC State Peison in the Northern District Of California.

III  
Parties

Plaintiff, Danny Garcia: At DVI May 24, 2004:

Pleasant Valley State Prison July 28. 2005;

Inmate Appeal Routh Slip May16. 2008; Log NO SVSP- D-08-02109; T.

Variz Correctional Counselor - II Appeals Coordinator Salinas Valley State  
Prison Oct 12, 2008; Gernal Chrono C.D.C 7219 ( Rev 11/05;

Informed Consent For Mental Health Care Dated 3/1108; Inmate Appeals  
Asssignment Notice Log No SVSP- D- 080043; 1/28/08;

To CTC Salinas Valley State Prison 1/28/2008;

Dated 08 / 18 / 08;

Respectfully Submitted

/s/ Danny Garcia  
Danny Garcia



Conclusion

As a direct and foreseeable result of the defendant violations of the 8th Amendments, plaintiff, physical injuries in the form of damage of his right on the side leg car accident.

C.D.C. Department Of Corrections and Rehabilitations Memorandum July 14. 2008;

That the Memorandum states " NO " Medical indication that a lower bunk, lower tier by K. Mclean Agpa Health Care Appeals Corrinator.

Moradum Suspended Appeal:

Dated 08 / 18 / 08 ;

Respectfully Submitted

/s/ Danny Garcia  
Danny Garcia

Complaint For  
Declaratory Relief And  
Monetary Damages



Proof Of Service By Mail

**State of California**

**Department of Corrections and Rehabilitation**

**Memorandum**

**Date** : July 14, 2008  
**To** : GARCIA, DANNY (V30568)  
C13-142  
**From** : Mule Creek State Prison  
**Subject** : FIRST LEVEL APPEAL RESPONSE  
MCSP-C-08-01579

Mr. Garcia's ADA Appeal was suspended on July 14, 2008, pending the issue of his ortho shoes, insoles and soft shoes.

The appeal was partially granted for ortho shoes, insoles and soft shoes. No medical indication that a low bunk, low tier, extra mattress and pillow are necessary.

August 8, 2008 - Checked with the Specialty Clinic. The ortho shoes have not yet arrived.

K. McLean, AGPA  
Health Care Appeals Coordinator

Mule Creek State Prison



State of California

Department of Corrections

## Memorandum

Date : August 11, 2008

To : GARCIA, V30568  
C 1300000000142L

Log Number: MCSP-C-08-01579

Subject: **SUSPENDED APPEAL**

This memorandum is to inform you that the above referenced CDC Form 1824, Reasonable Accommodation or Modification Request has been suspended pending specialty testing. The Armstrong Remedial Plan states:

Upon determination that expert consultant is required, medical staff shall inform the Appeals Coordinator of the referral and the appeal time frames shall be suspended until the expert consultants report is received by health care staff.

You will need to be seen by contract medical personnel before the institution medical staff can respond to the issues raised in your appeal. When documentation is received, your CDC Form 1824 shall be processed accordingly. The original due date is no longer valid for this appeal and will be recalculated after your consultation takes place.

You are expected to cooperate with all efforts to verify your claimed disability. Your failure to cooperate will result in your appeal being cancelled.

Appeals Coordinator

ADDENDUM: Add-a-Page; Insert-a-Page N / C / S Region, Service Area = \_\_\_\_\_, Institution = PVSP

Additional Page and/or Update Page Use with Assessments, Data Base, Treatment Plan

☐ Insert as Additional Information: Behind Page # \_\_\_\_\_, Form \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ completed.☒ Add to Top as Update or Correction: Top Form MH-7 Regarding Page # \_\_\_\_\_, Date: 5/19/04 completed.

Page	Section	Narrative:	Sign, Name/Stamp, Date
------	---------	------------	------------------------

7-26-04		THIS IS A MH 4 UPDATE. THE MH 7 IS COMPLETE. 41 YO HCSP, BUTTE CO, 288 COMMITTEMENT, CLAIMS A LIFE SENTENCE DUE TO 4 COUNTS OF STATUTORY RAPE (SEX W/ A MINOR).	
---------	--	---	--

		M/S WNL - EXPRESSLY ANXIETY FROM HIS INCARCERATION. HE HAS NO PRIOR JAIL EXPERIENCE. HAS BRUISES FROM SKIN-HEADS IN BUTT ED. WHO KNOW ABOUT HIS CHARGES. NO PRIOR MH PROBLEMS.	
--	--	--	--

		DX: AXIS I: 309.28 ADJ. DIS W/ ANXIETY AND DEPRESSED MOOD.	
--	--	--	--

		AXIS II - 299.9 Delusional	
--	--	----------------------------	--

		GAF: 70.	
--	--	----------	--

		PLAN: CONTINUE 3CMS ON MED. NECESSITY LIKES CURRENT 4 MEDS.	
--	--	---	--

		<u>M. Macomber</u> PhD	
--	--	------------------------	--

		Melvin Macomber, Ph.D. Clinical Psychologist	
--	--	---	--

MENTAL HEALTH ASSESSMENT: MENTAL HEALTH DATA BASE	LEVEL OF CARE	Last Name:	First Name:	MI:
--	---------------	------------	-------------	-----

Part One - History Section				
Part Two - Diagnostic Section + Placement				
Addendum: Add-a-Page / Insert-a-Page				
MH 1 [3/19/96]				

Confidential Client/Patient Information See W & I Code, Section 5328				
---	--	--	--	--

Inpatient				
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Outpatient				
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GARCIA, DANNY				
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CDC # <u>V.30568</u>	DOB	____/____/____
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State of California, Department of Corrections: Region N

Institution = DVI

RECEPTION CENTER MENTAL HEALTH EVALUATION: Page 1 of 3; Date 5/14/09 Critical Issue ☒

## I. IDENTIFYING INFORMATION

Arrival date this RC: 4/14/09Ethnicity: Mexican☐ Non-English☒ English

Data Source (s):

☒ Interview☐ Central File☐ Unit Health Record☐ Outside

## II. BASIS OF REFERRAL/PRESENTING PROBLEM

Screening Report:

☐ Possible Thought Disorder☐ Possible Mood Disorder☒ Possible Major Depression☐ Possible SuicidalityStaff Referral: ☐☐ History of Mental Illness☐ Medication Review☐ Danger to selfSelf Referral: ☐

(State reason)

☐ Other Behavioral Signs or issues. Describe (include self referral detail):Born: San Luis Obispo3 brothersdivorced parents

## III. MENTAL HEALTH HISTORY: (If it is normal, check normal or none, if a deviation, check yes and explain.)

A. Developmental Problem:

☒ Normal☐ Abnormal

B. Marital: circle: S / M / D / W

19yo29yo divorced4 sons2 older sons live in apartment- repetitiveC. Work History: ☐ None☐ Some☐ Erratic☒ Extensivebonded alarm agentD. Mental Health History: ☐ None known☒ YesButte Co. jail end of 20012/7 diagnosis

E. Issues and Problems

1. Psychiatric Hospitalizations: ☒ None OR ☐ Yes

2. Psychotropic Medication

in the last 2 years: ☐ None OR ☒ Yes3. Outpatient Treatment: ☒ None OR ☐ Yes

4. MH Treatment while

incarcerated/paroled: ☐ None OR ☒ Yes5. History of Substance Abuse: ☒ None OR ☐ Yes6. Release of information requested: ☐ YesF. Suicidal Behavior: ☒ None ☒ Present1. History: ☒ None ☐ Present☐ DescribeG. Violent Behavior: ☒ None ☐ Present1. History: ☒ None ☐ Present☐ DescribeMENTAL HEALTH ASSESSMENT:  
RECEPTION CENTERLEVEL OF  
CARE

Last Name:

First Name:

MI:

DATE TIME

3/4/09 0845 S Pt c/o at 10.5 & weakness & H/V (N) Appm to L.

Pt c/o chronic symptoms, reactivity to environment

DATE	TIME
------	------

3/4/68 0845 S. Pt. 40 at 10.5 f. workman f. H/V. @ Aprim to Lu.  
Pt 40 chronic sinusitis, refractory to current  
steroid nasal spray. 4 years. @ weight 60 kgs.  
O: NAP - Euthymic. Nerves intact - pt breathes & speaks  
by B/V CPA.

Temp	Resp
99.1	18
P.O.P	Pulse
134/85	71
SpO2	Wt
	158

Cur. Price -  
RHS - 284 HT.

App. Chronic Sinusitis - refractory to Carb. Diox.

X-Rays - 50000

Pl. Zwedde's Jan 5. 1894.

1. 1. 1.

\* pt w/ loss  $\rightarrow$   $\text{H}^+$  blood chemistry  
 & significant w/ loss documented  
 p/n pt that either not incl.

INSTITUTION SVSP

HOUSING UNIT

D2-214

CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH

V 70568

Garcia, Danny

INTERDISCIPLINARY PROGRESS NOTES



**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

Order Date	Time	Problem #	Physician's Order and Medication (Orders must be dated, timed, and signed.)
2/8/08		1302	<p>MEQ: 50</p> <p>not in 600 mg TIV BID x 3 days</p> <p>and time 10 days for staples (2)</p> <p>removal</p> <p><i>[Signature]</i></p> <p>NOTED 2/8/08 @ 1417 Wegman Rd</p>

ALLERGIES	INSTITUTION	ROOMING
AKDA	SUSP	B2 205

Confidential  
client information  
See W & I Code, Sections 4514 and  
5325

### PHYSICIAN'S ORDERS

CDC NUMBER	NAME (LAST, FIRST, MI)
100-100000	SMITH, JOHN, D.
100-100001	JONES, MARY, E.
100-100002	DOE, ROBERT, A.
100-100003	BROWN, SARAH, L.
100-100004	WILLIAMS, MICHAEL, R.
100-100005	DAVIS, EMILY, K.
100-100006	MILLER, DAVID, J.
100-100007	WILSON, LUCAS, M.
100-100008	MOORE, AMANDA, N.
100-100009	ANDERSON, BENJAMIN, P.
100-100010	THOMAS, OLIVIA, Q.
100-100011	CHEN, DAVID, R.
100-100012	WILLIAMS, JESSICA, S.
100-100013	WILLIAMS, JESSICA, S.
100-100014	WILLIAMS, JESSICA, S.
100-100015	WILLIAMS, JESSICA, S.
100-100016	WILLIAMS, JESSICA, S.
100-100017	WILLIAMS, JESSICA, S.
100-100018	WILLIAMS, JESSICA, S.
100-100019	WILLIAMS, JESSICA, S.
100-100020	WILLIAMS, JESSICA, S.
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100-100097	WILLIAMS, JESSICA, S.
100-100098	WILLIAMS, JESSICA, S.
100-100099	WILLIAMS, JESSICA, S.
100-100100	WILLIAMS, JESSICA, S.

Garcia, Larry

V30568

2 | 13 | 63

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

[illegible]

Confidential  
client information  
See W & I Code, Sections 4514 and  
5328

RECEIVED FEB 08 1966

### PHYSICIAN'S ORDERS

CDC NUMBER	NAME (LAST, FIRST, MI)
100-100000	...
100-100001	...
100-100002	...
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100-100009	...
100-100010	...
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100-100099	...

Garcia, Danny  
V30568  
DOB 2-13-65

Order Date	Time	Problem #	Physician's Order and Medication (Orders must be dated, timed, and signed.)
7/1/08	0845		<del>X. Fry <del>secret</del> secretion</del> <del>Flu 3 weeks</del> <sup>chron.</sup> <del>Fry secretion</del> <del>JCB, JCB 25</del> <del>Naproxen 500mg po BID</del> Acetaminophen 500mg po TID PRN for HA x 180 days Tolmetin 600mg po TAA as directed x 180 days Total 7/1/08 0905 - <del>Cam</del> LVA / 12/4/08

DA-214

2/13/03

DEPARTMENT OF CORRECTIONS

**NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED.**

Physician's Order and Medication (Orders must be dated, timed, and signed.)		
Order Date	Time	Problem #
2/25/08	1100	
		Continued time 10mg po qd x 90 days
		H2sone x 1 spray to effect w/ host x 90 days
		X-Rn
		Stop 90 days for neck pain -
		Noted 2/25/08 1100 [Signature] - LVN

**ALLERGIES:**

INSTITUTION

SVSP

ROOM/ING:

D1-2023

Confidential  
client information  
See W & I Code, Sections 4514 and  
5328

CDC NUMBER	NAME (LAST, FIRST, MI)
100-100000	ALLEN, JOHN, A.
100-100001	BROWN, JANE, M.
100-100002	SMITH, ROBERT, L.
100-100003	WILLIAMS, MARY, K.
100-100004	DAVIS, MICHAEL, J.
100-100005	GARCIA, ANNA, R.
100-100006	MARTIN, DAVID, S.
100-100007	ROBINSON, LUCAS, T.
100-100008	WILSON, EMILY, H.
100-100009	MOORE, CHRISTOPHER, N.
100-100010	JOHNSON, SARAH, P.
100-100011	WALKER, BENJAMIN, Q.
100-100012	SCOTT, OLIVIA, W.
100-100013	GREEN, NATHAN, V.
100-100014	ADAMS, ISABELLA, U.
100-100015	NEAL, JACOB, Y.
100-100016	BAKER, AMELIA, Z.
100-100017	CLARK, HENRY, X.
100-100018	LEWIS, ARIANA, C.
100-100019	LEE, JAMES, B.
100-100020	WATSON, CHARLOTTE, A.
100-100021	FRANKLIN, WILLIAM, D.
100-100022	ROBERTS, VICTORIA, E.
100-100023	TURNER, THOMAS, F.
100-100024	WRIGHT, SOPHIA, G.
100-100025	COOPER, LEO, I.
100-100026	PERKINS, ALEXANDRA, J.
100-100027	WILLIAMS, NICHOLAS, K.
100-100028	WALKER, ELIZABETH, L.
100-100029	SCOTT, JACOB, M.
100-100030	GREEN, AMELIA, N.
100-100031	ADAMS, BENJAMIN, O.
100-100032	NEAL, OLIVIA, P.
100-100033	BAKER, HENRY, Q.
100-100034	CLARK, ISABELLA, R.
100-100035	LEWIS, JACOB, S.
100-100036	ROBERTS, ARIANA, T.
100-100037	TURNER, THOMAS, U.
100-100038	WRIGHT, SOPHIA, V.
100-100039	COOPER, LEO, W.
100-100040	PERKINS, ALEXANDRA, X.
100-100041	WILLIAMS, NICHOLAS, Y.
100-100042	WALKER, ELIZABETH, Z.
100-100043	SCOTT, JACOB, A.
100-100044	GREEN, AMELIA, B.
100-100045	ADAMS, BENJAMIN, C.
100-100046	NEAL, OLIVIA, D.
100-100047	BAKER, HENRY, E.
100-100048	CLARK, ISABELLA, F.
100-100049	LEWIS, JACOB, G.
100-100050	ROBERTS, ARIANA, H.
100-100051	TURNER, THOMAS, I.
100-100052	WRIGHT, SOPHIA, J.
100-100053	COOPER, LEO, K.
100-100054	PERKINS, ALEXANDRA, L.
100-100055	WILLIAMS, NICHOLAS, M.
100-100056	WALKER, ELIZABETH, N.
100-100057	SCOTT, JACOB, O.
100-100058	GREEN, AMELIA, P.
100-100059	ADAMS, BENJAMIN, Q.
100-100060	NEAL, OLIVIA, R.
100-100061	BAKER, HENRY, S.
100-100062	CLARK, ISABELLA, T.
100-100063	LEWIS, JACOB, U.
100-100064	ROBERTS, ARIANA, V.
100-100065	TURNER, THOMAS, W.
100-100066	WRIGHT, SOPHIA, X.
100-100067	COOPER, LEO, Y.
100-100068	PERKINS, ALEXANDRA, Z.
100-100069	WILLIAMS, NICHOLAS, A.
100-100070	WALKER, ELIZABETH, B.
100-100071	SCOTT, JACOB, C.
100-100072	GREEN, AMELIA, D.
100-100073	ADAMS, BENJAMIN, E.
100-100074	NEAL, OLIVIA, F.
100-100075	BAKER, HENRY, G.
100-100076	CLARK, ISABELLA, H.
100-100077	LEWIS, JACOB, I.
100-100078	ROBERTS, ARIANA, J.
100-100079	TURNER, THOMAS, K.
100-100080	WRIGHT, SOPHIA, L.
100-100081	COOPER, LEO, M.
100-100082	PERKINS, ALEXANDRA, N.
100-100083	WILLIAMS, NICHOLAS, O.
100-100084	WALKER, ELIZABETH, P.
100-100085	SCOTT, JACOB, Q.
100-100086	GREEN, AMELIA, R.
100-100087	ADAMS, BENJAMIN, S.
100-100088	NEAL, OLIVIA, T.
100-100089	BAKER, HENRY, U.
100-100090	CLARK, ISABELLA, V.
100-100091	LEWIS, JACOB, W.
100-100092	ROBERTS, ARIANA, X.
100-100093	TURNER, THOMAS, Y.
100-100094	WRIGHT, SOPHIA, Z.
100-100095	COOPER, LEO, A.
100-100096	PERKINS, ALEXANDRA, B.
100-100097	WILLIAMS, NICHOLAS, C.
100-100098	WALKER, ELIZABETH, D.
100-100099	SCOTT, JACOB, E.
100-100100	GREEN, AMELIA, F.

V 30568

Garcia, Danny

### PHYSICIAN'S ORDERS

REC-11

Order Date	Time	Problem	Physician's Order and Medication (Orders must be dated, timed, and signed.)
4-16-08			<p>① X-Ray Lt wrist &amp; Rt hand R/O FX - Routine</p> <p>② Ibuprofen 600mg sig i po tid PRN - pain</p> <p>③ Sch. MD line p X Ray done</p> <p style="text-align: right;"><i>[Signature]</i></p>
<p><i>Noted 12:00 PM 4-16-08 H.A.</i></p>			

## ROOMMATING

CDC, NUMBER, NAME (LAST, FIRST, MI)

Garcia, Danny  
✓ 30568

DEPARTMENT OF CORRECTIONS

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NOTE: SEND COPY OF PHYSICIAN'S ORDER FOR MEDICATION  
TO PHARMACY AFTER EACH ORDER IS SIGNED

Order Date	Time	Problem #	Physician's Order and Medication (Order must be dated, timed and signed)
5/7/08	1745		3CMS MENTAL HEALTH EVAL W/I 14 DAYS
			POC DR. FRENCH/A.KETTELHAKE R.N.
			MD LINE W/I 14 DAYS F/U HTN DYSLIPIDEMIA
			CHRONIC BACK PAIN
			ATENOLOL 50MG PO Q DAY
			ENALAPRIL 10MG PO Q DAY
			ASA EC 81MG PO Q DAY
			CAL POLYCARBOPHIL TAB PO Q DAY
			PRILOSEC 20MG PO Q DAY
			SIMVASATIN 20MG PO Q HS
			RANITIDINE 150MG PO BID
			TYLENOL 500MG PO TID PRN HEADACHE
			TOLFANATE CREAM 1 PER CENT AS DIRECTED
			MOMETASONE NASAL SPRAY TO AFFECTED NOSTRIL Q D
			IBUPROFEN 600MG PO TID PRN PAIN
			POC DR. GALLAWAY/A.KETTELHAKE R.N.
Allergies:	Institutions:	Room/Wing:	
NKDA	MCSP	13-207C	

Confidential  
client information  
See W & I Code, Section 4514  
and 5328

## PHYSICIAN'S ORDERS

CDC 7221 (2/00)  
State of California

DEPARTMENT OF CORRECTIONS

[illegible]

CDC: V30568

NAME: GARCIA DANNY

DOB: 2/13/1963



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

## EMERGENCY CARE FLOW SHEET

DATE: 8/18/08

PATIENT NAME (LAST, FIRST) <u>Garciar, Danny</u>		CDC NUMBER <u>V30508</u>		HOUSING <u>72 205</u>		DOB <u>2/13/63</u>	
TIME OF INCIDENT		LOCATION OF INCIDENT		MODE OF ARRIVAL <u>WALK</u>			
STAFF NAME (LAST, FIRST)		OCCUPATION		SEX		AGE	
CHIEF COMPLAINT: <u>Head laceration</u>		TB CODE <u>22</u>		DATE OF LAST TETANUS <u>Unknown</u>			
MECHANISM OF INJURY		SKIN COLOR		SKIN TEMP		SKIN MOISTURE	
<input type="checkbox"/> STABBING <input checked="" type="checkbox"/> PHYSICAL ALTERCATION <input type="checkbox"/> GUNSHOT WOUND <input type="checkbox"/> BURN <input type="checkbox"/> SPORTS INJURY <input type="checkbox"/> ON THE JOB INJURY <input type="checkbox"/> OTHER		<input type="checkbox"/> NORMAL <input type="checkbox"/> PALE <input type="checkbox"/> ASHEN <input type="checkbox"/> CYANOTIC <input type="checkbox"/> FLUSHED		<input type="checkbox"/> HOT <input checked="" type="checkbox"/> WARM <input type="checkbox"/> COOL <input type="checkbox"/> COLD		<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> DRY <input type="checkbox"/> MOIST <input type="checkbox"/> PROFUSE	
CAPILLARY REFILL		GLASCOW COMA SCALE		EYE OPENING RESPONSE		SPONTANEOUS TO VOICE	
<input type="checkbox"/> < 2 SECONDS <input type="checkbox"/> > 2 SECONDS <input type="checkbox"/> NONE		EYE OPENING RESPONSE BEST VERBAL RESPONSE INAPPROPRIATE WORDS		SPONTANEOUS TO PAIN ORIENTED INAPPROPRIATE WORDS		4 4 4 4 4 3 3 3 3 3 2 2 2 2 2 1 1 1 1 1 3 5 5 5 5 4 4 4 4 4 3 3 3 3 3	
LUNG SOUNDS		RESP. CHARACTER		EVIDENCE OF TRAUMA		GLASCOW COMA SCALE	
RT <input checked="" type="checkbox"/> CLEAR LT <input type="checkbox"/> <input type="checkbox"/> WHEEZES <input type="checkbox"/> RALES <input type="checkbox"/> RHONCHI <input type="checkbox"/> DIMINISHED <input type="checkbox"/> ABSENT		<input type="checkbox"/> LABORED <input checked="" type="checkbox"/> UNLABORED <input type="checkbox"/> PAINFUL <input type="checkbox"/> SHALLOW <input type="checkbox"/> DEEP <input type="checkbox"/> RETRACTION <input type="checkbox"/> NASAL FLARING		<input type="checkbox"/> CHEST <input type="checkbox"/> ABDOMEN <input type="checkbox"/> GU <input type="checkbox"/> PELVIS <input type="checkbox"/> BACK SPINE		<input checked="" type="checkbox"/> HEAD <input type="checkbox"/> NECK <input type="checkbox"/> EXTREMITIES <input type="checkbox"/> OTHER	
TIME		TEMP		PULSE		RESP	
1122		98.13		54		20	
BP		SaO2		CURRENT MEDICATION			
110/60		90%		Lidocaine patch			
TIME		SOL		SITE		GAUGE	
0							
RATE		MEDICATION ALLERGIES		MEDICATION GIVEN IN ER			
0		NONE					
TIME		ROUTE		RATE		SaO2	
0							
SUBJECTIVE: (PATIENT'S STATEMENTS, HISTORY) <u>"I was punched in head"</u>							
OBJECTIVE: (PHYSICAL EVALUATION) <u>110/60, 90%, 54, 20, 110/60, 90%</u>							
ASSESSMENT: (NURSING DIAGNOSIS) <u>110/60, 90%, 54, 20, 110/60, 90%</u>							
PLAN: (PT EDUCATION, FOLLOWUP, MD ORDERS, ETC.) <u>110/60, 90%, 54, 20, 110/60, 90%</u>							
X-ray head 110/60, 90%, 54, 20, 110/60, 90%							
Status X-ray 110/60, 90%, 54, 20, 110/60, 90%							
110/60, 90%, 54, 20, 110/60, 90%							
PRINT NAME		SIGNATURE		PATIENT DISPOSITION			
110/60		<u>[Signature]</u>		<input type="checkbox"/> RETURN TO CUSTODY <input type="checkbox"/> ADMIT TO INFIRMARY / HOSPITAL <input type="checkbox"/> TRANSPORT TO COMM HOSPITAL VIA <input type="checkbox"/> AMBULANCE <input type="checkbox"/> STATE VEHICLE <input type="checkbox"/> RELEASED TO CORONER			
SUPERVISOR REVIEW		PATIENT CONDITION ON DISCHARGE					
		<input type="checkbox"/> STABLE <input type="checkbox"/> UNSTABLE <input type="checkbox"/> DECEASED TIME					

DATE	TIME	NOTES
2/8/08	1302	<p>MED: 60</p> <p>S: 44yo Hispanic Blindfold punched on the (R) side of head and other inmate punched him on the chest he fell to the grassy, gravel ground and ran to get help. W.C.C. no visual /o, no hearing /o, no blood from mouth, ear &amp; nose &amp; sores</p> <p>now only mild chest pain none &amp; no more no hemoptysis no dyspnea not tachycardia no ABLEP on level blood from nose in the field not now; no blood vision no dble vision no stiff neck; no dysphagia no numbness/tingling of UE/LE no bowel/urinary incontinence.</p> <p>②:</p> <p>sitting / walking 5000</p> <p>pleasant conversing spontaneously</p> <p>thin 1 cm lac of (R) temple at hair line &amp; Active bleed.</p> <p>3cm slight indentation (R) front / at &amp; Euclyptus.</p> <p>Free sym. nose mid blood stain at (L) nasal orifice no Active bleeding; tongue mid oral Cln</p> <p>Eyes &amp; Eyelids &amp; subconj hemorrhage.</p> <p>PERAL, GOMI globe intact sup. ref. intact</p>
SVSP	HOUSING UNIT	<p>R2 205 (continue)</p> <p>CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH</p> <p>Gracia Danny</p> <p>V30568</p> <p>2/13/63</p>

## INTERDISCIPLINARY PROGRESS NOTES



DATE . TIME

MED: ED

2/8/08 1:44 (on found)

1322

orbital &amp; tender &amp; erythema

zygomatic not tender, sides not tender.

on the chin &amp; blood marked at

sharp shoulder all over not tender

spine not tender to touch.

arm &amp; leg; chest &amp; neck; abd not tender.

Ext &amp; distal &amp; ecchymosis. Neck &amp; focal tenderness

Ap (H/P) Head rising

- RR chest &amp; back not

Tender pushed

- Rib pain &amp; Rx

&amp; evidence of intracranial - (R) digit / elbow (-)

issue &amp; extra cranial soft problem.

Aware of pain of Epidural / subdural hematoma

observed thru next 72 hrs weakness, mental

change; N/V, visual/hearing of the H&amp;P staff

(2) Loc. Temp @ Temp arm

2 stoppers placed to clean &amp; stabilize

H&amp;P H&amp;P 2nd

for stoppers removed.

J. S. Spong

INSTITUTION

HOUSING UNIT

CDC NUMBER, NAME (LAST, FIRST, MI) AND DATE OF BIRTH

## INTERDISCIPLINARY PROGRESS NOTES

DATE	TIME	PROB#	
2-8-08			<p>S: (history includes details pertinent to the patient's medical complaint) 42yo o→            Attached by 4 in nites. Skull w/ fish Net 1200. Drains it            in black. Just off the leg. C/O black. Headache,            chest wall pain, R.H. &amp; t.p.e./bump. LTD to him.</p> <p>Ros: HTN ⊕ Dyslipidemia No heart Attack. On ASA.            100 g. Dura or WLS C/O.            Presently No Visual C/O, at least about 100. Notes: Anti-hypertensive,            Lipid Lowering agent, ASA - List pending.</p>
* CASS: CN2-1200			<p>O: (physical assessment) T: 99° P: 100 R: 18 B/P: 157/106 Wt: 157            Alex 3 build Distress (C/O). WNDOR 02/100%            Skin - 1.4 cm lac R forehead in hair line. Superficial puncture            wound above upper lip. No mucosal Disturbance. Teeth            all Teeth Vagel bases. Blood L. Nerves. &amp; Acting            bleeding - Septum Stable. Large Red area Ant-chest            + upper back. Abrasion across R. Ant + 12 c/brow.            Swelling some redness L. Extremities. No Bleeding.            Noy R. Ears. Eyes w/ Battle's Sign.            SNT: Above &amp; Skull. PIP - Numbness. PERILAC for low            Neck Swelling. 1 Groll (C/O) &amp; Ears / Nerves. *</p>
Wester / DT 2.4m			A: (medical/nsg diagnosis. MTAs may not independently analyze or interpret data.)
Central / In (C)			1. Lac. R forehead 4. Abhyas 12. Hx
Rhombus (C)			2. Pw 12. Upper Lip + R. Ext. Ear.
Relu: ATPLat			3. Contusion Chest, upper back, L Ext. Ear.
CW at C-C			P: (MTA - referral to a higher licensure for prioritization and evaluation.)
Wander			(RN - action to be taken by the RN so that the patient receives appropriate medical care.)
San Swelling			Wounds closed. Pt sent to ETA
Co: R. 4 (C/O)			R Xray + Repair of Lac. R
Abt 1st clon			
Charg of ATP			
BS action			
Ext: 1st clon			
			E: (education provided) Expl. to pt. Plan to repair lac.
			Lac + Xray done in g. ent.
INSTITUTION	SVSP	ROOM / WING	B3-205

OUTPATIENT INTERDISCIPLINARY  
PROGRESS NOTES

CDC NUMBER, NAME, (LAST, FIRST, MI)

Garcia, Danny

V 30568

DOB 2-13-65

RECEIVED FEB 08 2008

**INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: B2-237

Date: March 15, 2006

From: INMATE APPEALS OFFICE

Re: APPEAL

ASSIGNED STAFF REVIEWER: CTC  
APPEAL ISSUE: MEDICAL

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for INFORMAL response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal to this office for the FIRST level of review.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

No 883624

STATE OF CALIFORNIA  
CDC 7362 (Rev. 03/04)

## HEALTH CARE SERVICES REQUEST FORM

DEPARTMENT OF CORRECTIONS

## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR: MEDICAL ☒ MENTAL HEALTH ☐ DENTAL ☐ MEDICATION REFILL ☐

NAME CDC NUMBER HOUSING

Danny R. Garcia

V30568

ADD SEG #215

PATIENT SIGNATURE

DATE

Danny R. Garcia

08-10-04

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) Bottom back cramps, Car accident, Oct. 2001, crushed foot (right) pins removed in March of 2002, Car accident in Oct. 1978, compound fracture, upper femur, right leg, torn ligaments, inside right knee, no pins, bones overlapped, need a heel lift. Extreme pain in foot and leg after a day's use, swelling in back of right knee after a day's use. Without heel lift I get a curvature in the spine which gives me lower back aches. Follow up

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

☐ Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received: 8/11/04 1000 Received by: M. Amabile RN

Date / Time Reviewed by RN: 8/11/04 1000 Reviewed by: M. Amabile RN

S: Pain Scale: 1 2 3 4 5 6 7 8 9 10

"I need a bottom back brace."

O: T: P: R: BP: Deferred WEIGHT:

A: Add to next MD line

☐ See Nursing Encounter Form

E:

APPOINTMENT SCHEDULED AS: EMERGENCY (IMMEDIATELY) ☐ URGENT (WITHIN 24 HOURS) ☐ ROUTINE (WITHIN 14 CALENDAR DAYS) ☒

REFERRED TO PCP: no line DATE OF APPOINTMENT: 8/11/04

COMPLETED BY: NAME OF INSTITUTION: PUSP

PRINT / STAMP NAME SIGNATURE / TITLE DATE/TIME COMPLETED

M. Griffith

M. Amabile RN

8/11/04 1045

CDC 7362 (Rev. 03/04)

Original - Unit Health Record

Yellow - Inmate (if copayment applicable)

Pink - Inmate Trust Office (if copayment applicable)

Gold - Inmate

7/15/04

DATE	TIME	PROB#	
10/12/2004			S: (history includes details pertinent to the patient's medical complaint) He has nasal Allergy. Chronic Back pain.
			O: (physical assessment) T: 97.1 P: 67 R: 20 B/P: 125/72 Wt: 151 Nose: Very Congested. Back Very Good Mobility
			A: (medical/nsg diagnosis. MTAs may not independently analyze or interpret data.) ① Allergic Rhinitis ② Chronic Back Pain
			P: (MTA - referral to a higher-licensure for prioritization and evaluation.) (RN - action to be taken by the RN so that the patient receives appropriate medical care.) ① ② ③ ④
			E: (education provided) Instructions Given - <i>Solomon MD</i>
INSTITUTION		Pleasant Valley State Prison Community Office	ROOM / WING DFB5T2000000206L
OUTPATIENT INTERDISCIPLINARY PROGRESS NOTES			CDC NUMBER, NAME, (LAST, FIRST, MI) V30568 GARCIA, DANNY 2/13/1963



MEDICAL REPORT Case 3:08-cv-04039-SI  
OR UNUSUAL OCCURRENCE

Document 1

Filed 08/25/2008

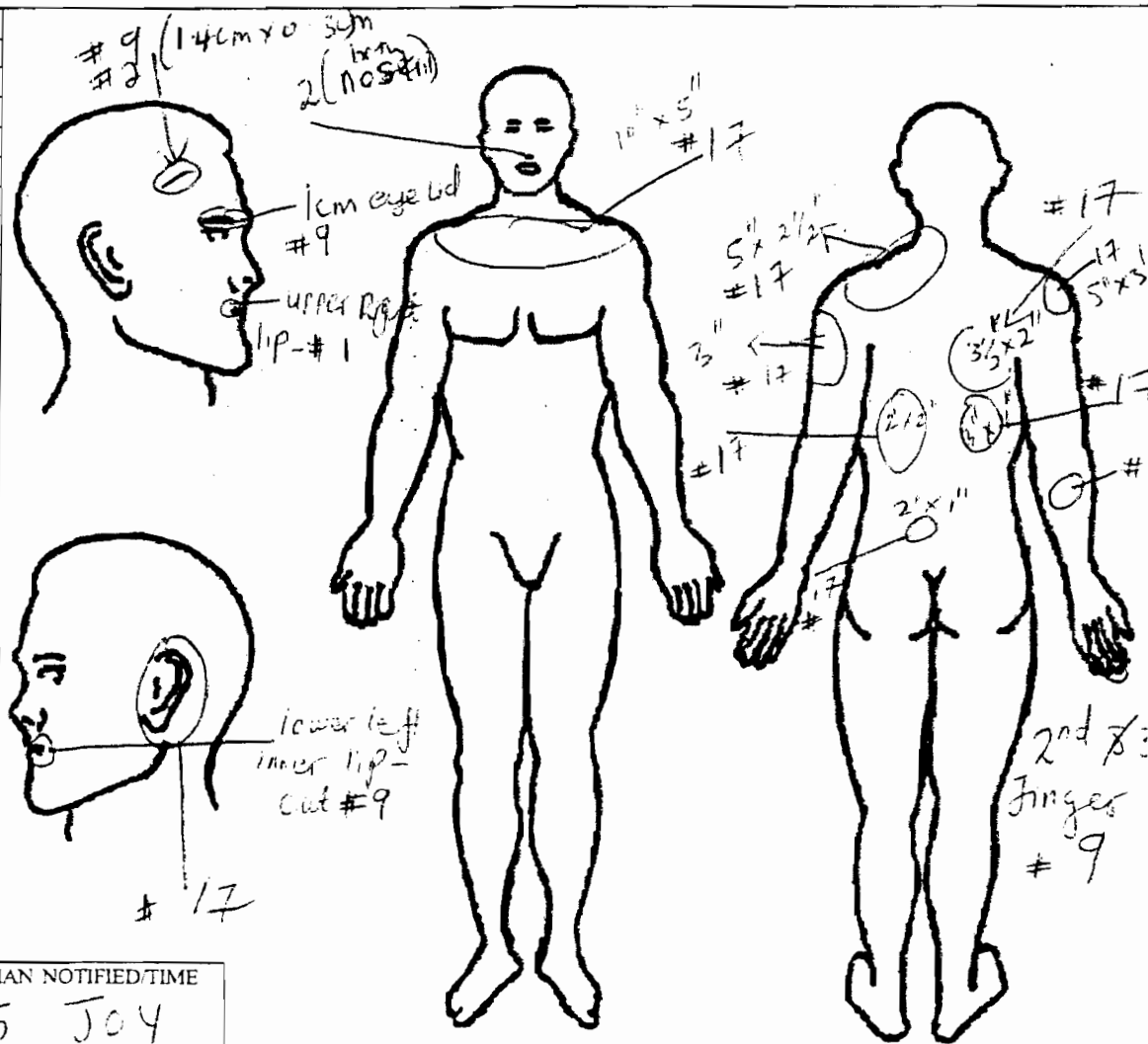
Page 30 of 70

NAME OF INSTITUTION <b>SUSP</b>	FACILITY/UNIT <b>B yard</b>	REASON FOR REPORT (circle) INJURY UNUSUAL OCCURRENCE	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE <b>2/8/08</b>
THIS SECTION FOR INMATE ONLY	NAME LAST <b>GARCH</b>	FIRST <b>LAWY</b>	CDC NUMBER <b>V-30568</b>	HOUSING LOC. <b>B5205</b>
THIS SECTION FOR STAFF ONLY	NAME LAST _____	FIRST _____	BADGE # _____	RANK/CLASS _____
THIS SECTION FOR VISITOR ONLY	NAME LAST _____	FIRST _____	MIDDLE _____	DOB _____
HOME ADDRESS _____		CITY _____	STATE _____	ZIP _____
PLACE OF OCCURRENCE <b>BRAYO YARD</b>	DATE/TIME OF OCCURRENCE <b>2/8/08 - 1032</b>		NAME OF WITNESS(ES) <b>NONE</b>	
TIME NOTIFIED <b>1035</b>	TIME SEEN <b>1036</b>	ESCORTED BY <b>WILSON</b>	MODE OF ARRIVAL (circle) <b>AMBULATORY</b>	LITTER ON SITE
WHEELCHAIR	AGE <b>44</b>	RACE <b>SPANISH</b>	SEX <b>M</b>	

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

"I don't know what happened it came out of nowhere"

INJURIES FOUND?	YES/NO
Abrasion/Scratch	(1)
Active Bleeding	(2)
Broken Bone	3
Bruise/Discolored Area	4
Burn	5
Dislocation	6
Dried Blood	7
Fresh Tattoo	8
Cut/Laceration/Slash	(9)
O.C. Spray Area	10
Pain	11
Protrusion	12
Puncture	13
Reddened Area	14
Skin Flap	15
Swollen Area	16
Other	Reddened area (17)
	18
	19
O.C. SPRAY EXPOSURE?	YES/NO
DECONTAMINATED?	YES/NO
Self-decontamination instructions given?	YES/NO
Refused decontamination?	YES/NO
Q 15 min. checks	
Staff issued exposure packet?	YES/NO



RN NOTIFIED/TIME <b>1035 HELEN</b>	PHYSICIAN NOTIFIED/TIME <b>1055 JOY</b>
TIME/DISPOSITION <b>1036 B CLINIC</b> <b>1055 DI-JOY Assessing I/M</b>	

REPORT COMPLETED BY/TITLE (PRINT AND SIGN) <b>ADAM LEE</b>	BADGE # <b>4688</b>	RDOs <b>THOMAS</b>
---	------------------------	-----------------------

(Medical data is to be included in progress note or emergency care record filed in UHR)

Encounter Form: Wound Care

Inst: SVSP

Name: Garcia Danny CDC#: V 3056P DOB: 2/13/65 Date/Time: 2/8/08 1100

Fill in the blanks and check all that apply

**SUBJECTIVE:**

Chief Complaint: pt attacked by 3-4 inmates

Date and time of injury: 2/8/08 1036

Precipitating event: Released by Adsg moved back to Bravo yard

Pain: Scale of 0-10 (0=no pain 10=worst pain) 7/10

Area of pain: (R) fore head, chest

Quality of pain: unable to ask

What makes it better/worse? unknown

Associated injuries: ☐ Fractures ☐ Dislocations

☐ Weakness ☐ Paralysis ☐ Other:

Describe: See Back

Chronic Diseases: ☐ HIV ☐ Bleeding tendencies

☐ Peripheral Vascular Disease ☐ Diabetes

☐ Alcoholic Liver Disease ☐ Cancer

☐ Other Htn Describe:

Last Meal (Time/type) Break fast

Allergies: NKA

Current medications: Pantidine, Simvastatin

omeprazole, calcium, NSA, Atenolol, Naproxen

Date of last tetanus: Less than 10 years ago

**OBJECTIVE:**

☒ ABCs Present

☒ Awake, alert, oriented to person, place, time

VS: Temp 99.3 Pulse 100 Resp 18 B/P 157/102

Wound: (location, size, depth, foreign body, contamination, swelling.)

multiple wounds laceration (R) forehead

Scalp lacer, blackeye, R eye

See attached 7219

Bleeding ☐ past ☒ current Describe: (location, amt, color)

moderate amount of blood (R) frontal

scalp nose both nostrils (R) hand

CSM distal to the wound: (Area): L/R Radial Strong

pulse regular cap refill <2

Time	Color	Sensation	Movement	Strength

unable to assess

assessed by Dr Joy

Time	BP	Pulse	Resp
1100	157/102	100	18

**ASSESSMENT:**

☒ Risk for infection evidenced by/related to:

multiple laceration / Bruises

☒ Impaired skin integrity evidenced by/related to:

multiple laceration / Bruises

**PLAN:**

MD referral completed: (circle) NO YES If yes:

☐ STAT (Bite wounds, human or animal; puncture wounds to the feet; wounds containing foreign objects; contaminated wounds; lacerations involving the face, palms, soles of feet, joints, or genitals; superficial lacerations more than 6 hours old; and deep lacerations; avulsions)

☐ Urgent ☐ Routine

Physician called (name / time) Dr Guy 1100

Physician responded (time) 1100

☐ Patient NPO

☐ Wound irrigated with 500 - 1000 ml Normal Saline until clear

☐ Affected area elevated

☒ Using a gauze sponge, continuous pressure applied to area to control bleeding

☐ Skin adjacent to wound cleaned with hibiclens

☐ Tetanus Prophylaxis given: ☐ Td ☐ TIG (amount/site)

**Abrasion**

☐ 4% lidocaine gel applied to abrasion on (location) \_\_\_\_\_ for pain before cleansing.

☒ Antimicrobial ointment applied to abrasion (specify) \_\_\_\_\_

☒ Wound cleansed with sterile 4 x 4 soaked in normal saline solution.

☐ Wound left open and exposed to air.

**Avulsion**

☐ Soft tissue realigned over wound

☐ Wound covered with saline-soaked gauze and dry sterile 4x4s.

**Superficial laceration/Small open wound**

☐ Steri Strips applied to wound

☐ Dry sterile dressing applied to wound

☐ Instructed to keep extremity elevated for 24 hours.

**Puncture wound**

☐ Wood splinters removed before cleansing wound.

Describe:

Laceration to head cleaned and covered

H. J. Joy 4x4 gauze + Kerlix

Signature Title

Assessed by Dr Joy

Inst: SWSP

## Encounter Form: Wound Care

Name: Garcia DannyCDC#: V30568DOB: 2/13/65 Date/Time: 2/8/08 1100

Fill in the blanks and check all that apply

Pt sent to ER via ERVChest clear to Auscultation  
performed by Dr Jogopt stated no loss of consciousness**EDUCATION:**

Patient instructed in:

- ☐ Use of medication
- ☐ Wound care:
- ☐ Instructed to keep extremity elevated for 24 hours
  - ☐ Watch for signs of infection including redness, warmth, fever, swelling, drainage, and increased pain. Notify health care staff if present
  - ☐ Keep dressing clean and dry
  - ☐ Dressing changes:
- ☐ Follow up in RN clinic in 3 days if not improved
- ☐ Other:
- ☐ Resubmit Health Care Service Request Form (CDC 7362) if redness, warmth, fever, swelling, drainage or increased pain at the wound site.
- ☐ Patient verbalized understanding of instructions
- ☒ Education deferred due to patient condition

**DISPOSITION**Time released: 1115

- ☒ Condition on release stable ERV - gurney

Returned to housing Unit

- ☐ Housing reassignment to:

- ☐ Referred for follow-up

☐ Physician clinic☐ RN clinic

- ☒ Referred to higher level of care: (specify) CTC

ERPerson/time contacted: Lorico 1100

- ☒ Records faxed to facility

Time/Mode of transfer: ERV 1115 gurneyERV contacted (time) 1100ERV arrived (time) ERV

Additional Comments: Laceration (R) forehead  
scalp line, (R) eye blackened,  
head, nose, chest (R) hand  
cleaned & N/S. head actively  
bleeding cleaned N/S & head wrapped  
& gauze. Lip cleaned & N/S.  
wound to (R) hand cleaned antibiotic  
ointment applied & covered &  
dressing. Multiple bruises  
to chest, back, head,  
xray of skull, facial bone  
nasal bone, ribs (R) elbow

List name of RN Protocol used: WoundH. Hunter RN

Signature: Title

ENCOUNTER FORM: WOUND CARE

CDC XXXX

12/04

RECEIVED 157100 EMM

Page 2 of 2



## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR: MEDICAL ☒ MENTAL HEALTH ☐ DENTAL ☐ MEDICATION REFILL ☐

NAME <i>Danny Garcia</i>	CDC NUMBER <i>V-30568</i>	HOUSING <i>D-1 #209</i>
PATIENT SIGNATURE <i>Danny Garcia</i>		DATE <i>02-18-08</i>

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) *a doctor at CTC put in a few staples on a cut on my head and stated that someone here at AD SEG would remove them. Please remove these staples. I still seem to be having sinus problems, can you check me to see what the problem is.**Thank you*

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

☒ Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received: <i>02/17/08 2010</i>	Received by: <i>[Signature]</i>
Date / Time Reviewed by RN: <i>2-18-08 1200</i>	Reviewed by: <i>[Signature]</i>
S: <i>Had 2 staples put into scalp on 2/8/08 @ CTC, one fell out yesterday while showering. Mrs ordered staple removal 2/18/08</i>	
Pain Scale: 1 2 3 4 5 6 7 8 9 10	

O: *T/90°* P: *62* R: *16* BP: *114/73* WEIGHT: *155*  
*NPO, Arx 3, skin plan to cut, Cooper end me*  
*Scalp well healed, good, no x.*A: *S/P Scalp Laceration*P: *(1) Remove Staple from Scalp (2) Advise for T/T fluid*☐ See Nursing Encounter Form *(3) Departed clinic @ 1215 stable, & ambulating.*E: *Last meal breakfast today*

APPOINTMENT SCHEDULED AS:	EMERGENCY (IMMEDIATELY) <input type="checkbox"/>	URGENT (WITHIN 24 HOURS) <input type="checkbox"/>	ROUTINE (WITHIN 14 CALENDAR DAYS) <input type="checkbox"/>
REFERRED TO PCP:	DATE OF APPOINTMENT:		
COMPLETED BY	NAME OF INSTITUTION <i>SVSP</i>		
PRINT / STAMP NAME	SIGNATURE / TITLE <i>[Signature] RN</i>	DATE/TIME COMPLETED <i>2/20/08 1155</i>	

## HEALTH CARE SERVICES REQUEST FORM

## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR: MEDICAL ☐ MENTAL HEALTH ☐ DENTAL ☐ MEDICATION REFILL ☐

NAME: Garcia, Danny CDC NUMBER: V30568 HOUSING: D1-201

PATIENT SIGNATURE: - pt ident. is in problem day and time DATE: 3/25/08

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem)

"my neck hurts and I can  
pop it sometimes  
feel a piece moving around."

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

☒ Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received: Received by:

Date / Time Reviewed by RN: Reviewed by:

S: Pain Scale: 1 2 3 4 5 6 7 8 9 10

O: T: P: R: BP: WEIGHT:

A:

P:

☐ See Nursing Encounter Form

E: X. R. C. - 12/25/08

APPOINTMENT SCHEDULED AS: EMERGENCY (IMMEDIATELY) ☐ URGENT (WITHIN 24 HOURS) ☐ ROUTINE (WITHIN 14 CALENDAR DAYS) ☐

REFERRED TO PCP: DATE OF APPOINTMENT:

COMPLETED BY: NAME OF INSTITUTION: SCS

PRINT / STAMP NAME: SIGNATURE / TITLE: DATE/TIME COMPLETED:

## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR: MEDICAL ☒ MENTAL HEALTH ☐ DENTAL ☐ MEDICATION REFILL ☐

NAME: Danny Garcia CDC NUMBER: V-30568 HOUSING: D-1 # 202

PATIENT SIGNATURE: Danny Garcia DATE: 04-14-08

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) Since the incident on 02-08-08, my left wrist has not stopped hurting &amp; my right index finger is hurting, it's more swollen than my left, I bumped it and it reminded me that it needs to be checked, a small bump hurt, it alets

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

☐ Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)

## PART II: TO BE COMPLETED BY THE TRIAGE REGISTERED NURSE

Date / Time Received: 4/14/08 2000 Received by: [Signature]  
Date / Time Reviewed by RN: 4/15/08 0700 Reviewed by: [Signature]  
S: Pain Scale: 1 2 3 4 5 6 7 8 9 10

O: T: 97.8 P: 68 R: 12 BP: 111/72 WEIGHT: 162 0930

A:  
P:  
☒ See Nursing Encounter Form muscle-skeletal-

E:

APPOINTMENT SCHEDULED AS: EMERGENCY (IMMEDIATELY) ☐ URGENT (WITHIN 24 HOURS) ☐ ROUTINE (WITHIN 14 CALENDAR DAYS) ☐  
REFERRED TO PCP: DATE OF APPOINTMENT: SUSP  
COMPLETED BY: NAME OF INSTITUTION

PRINT NAME: D. F. [Signature] SIGNATURE / TITLE: [Signature] DATE/TIME COMPLETED: 4-16-08 0945



Health Care Services Division

AD Treatment given per RN Protocol: \_\_\_\_\_

KO. Guleriya Rn

California Department of Corrections and Rehabilitation

Division of Correctional Health

Care Services

Inst: SVSP

Encounter Form: Musculoskeletal Complaint (Non-Traumatic)

Name: GARCIA, DANNY CDC# V30568 DOB: \_\_\_\_\_Date/Time 4-16-08  
0930

Fill in the blanks and check all that apply

## DISPOSITION:

- ☒ released 0945  
 condition on release: stabil - amb.  
☐ Returned to housing unit  
☐ Housing reassignment to: \_\_\_\_\_  
☐ Referred for follow-up  
☐ Physician clinic ☐ RN clinic  
☐ Referred to higher level of care: (specify) \_\_\_\_\_

Person/time contacted: \_\_\_\_\_

Time/Mode of transfer: \_\_\_\_\_

ERV contacted (time) \_\_\_\_\_

ERV arrived (time) \_\_\_\_\_

FD 7th c yard  
MD

Ordered X-rays  
of wrist L.  
& Rt finger.

List name(s) of RN Protocols used: MuscleSkeletalR. Gunkel RN

Signature/Title

ENCOUNTER FORM: MUSCULOSKELETAL COMPLAINTS (NON-TRAUMATIC)  
CDC XXXX

8/05

## INMATE / PAROLEE APPEAL SCREENING FORM

INMATE: GARCIA CDC #: V30568 CDC HOUSING: BS-214 CDCR-695

**THIS IS NOT AN APPEAL RESPONSE – THIS APPEAL IS EITHER REJECTED FOR REASONS NOTED BELOW OR RETURNED TO MORE INFORMATION OR FOR YOU TO ATTACH SUPPORTING DOCUMENTS.**

**PLEASE FOLLOW INSTRUCTIONS AND RETURN YOUR CDC 602 WITHIN 15 WORKING DAYS**

- |   |   |
|---|---|
| <input type="checkbox"/> Requested Action Already Taken                       | <input type="checkbox"/> Requested Appeal Withdrawn                                     |
| <input type="checkbox"/> Duplicate Appeal; Same Issue                         | <input type="checkbox"/> Appeal Previously Received and Processed                       |
| <input type="checkbox"/> Appealing Action Not Yet Taken                       | <input type="checkbox"/> Incomplete 602 – Complete Next Appropriate Section             |
| <input type="checkbox"/> Incomplete Appeal – Documents Not Attached           | <input type="checkbox"/> Incomplete 602 – Sign and Date Appropriate Section             |
| <input type="checkbox"/> Time Constraints Not Met                             | <input type="checkbox"/> Limit of One Continuation Page May Be Attached                 |
| <input type="checkbox"/> Cannot Submit On Behalf Of another Inmate            | <input checked="" type="checkbox"/> Incomplete Disciplinary Appeal – Missing Documents* |
| <input type="checkbox"/> Appeal Process Abuse – Inappropriate Statements      | <input type="checkbox"/> Incomplete Property Appeal – Missing Documents*                |
| <input type="checkbox"/> No Significant Adverse Effect Demonstrated           | <input type="checkbox"/> Failed to Provide Necessary Copies of Chrono(s)*               |
| <input type="checkbox"/> Action / Decision Not Taken By CDCR                  | <input type="checkbox"/> Appeal Process Abuse – Pointless Verbiage                      |
| <input type="checkbox"/> Action Sought Is Under Sentencing Court Jurisdiction | <input type="checkbox"/> May Submit One (1) Non-Emergency Appeal Per Week               |
| <input type="checkbox"/> Submit Issue to Assigned Parole Office               | <input type="checkbox"/> Attempting to Change Original Appeal Issue                     |
| <input type="checkbox"/> Appeal Matter to VCGCB                               | <input type="checkbox"/> Not Authorized to Bypass Any Level                             |
| <input type="checkbox"/> DRB Decisions Are Not Appealable                     | <input type="checkbox"/> Appeal Issue & Reasonable Accommodation Not 1824               |
| <input type="checkbox"/> Request for Interview; Not an Appeal                 | <input type="checkbox"/> Do Not Combine Staff Complaints with Other Issues              |
| <input type="checkbox"/> More than one issue –one issue per appeal            |   |
| <input type="checkbox"/> NO ATTEMPT AT INFORMAL RESOLVE                       | <input type="checkbox"/> Emergency Not Warranted-CCR 3084.7                             |

**[ ] Not a Request Form; Use CDCR-7362 – to access Medical Services, submit your request on a CDCR-Form 7362, Health Care Services Form, and send it to the Medical Department for an appointment. If necessary, sign up for sick call.**

**PLEASE ATTACH AS NOTED BELOW:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> CDC 115/Hearing Officer's Results | <input type="checkbox"/> CDC 128C Medical Chrono           |
| <input checked="" type="checkbox"/> CDC 115 with IE/DA information    | <input type="checkbox"/> CDC 1819 Denied Publications      |
| <input checked="" type="checkbox"/> Supplemental Reports to CDC 115   | <input type="checkbox"/> CDC 128 A                         |
| <input type="checkbox"/> CDC 1030 Confidential Disclosure             | <input type="checkbox"/> CDC 128 B                         |
| <input type="checkbox"/> CDC 114D Lockup Order                        | <input type="checkbox"/> CDC 143 Property Transfer Receipt |
| <input type="checkbox"/> CDC 128G ICC/UCC                             | <input type="checkbox"/> Cell Search Slip                  |
| <input type="checkbox"/> CDC 128G CSR Endorsement Chrono              | <input type="checkbox"/> Receipts                          |
| <input type="checkbox"/> CDC 839/840 Class/Reclass Score Sheet        | <input type="checkbox"/> Qtr. Pkg. Inventory Slip          |
| <input type="checkbox"/> CDC 7219 Medical Report                      | <input type="checkbox"/> Trust Account Statement           |
| <input type="checkbox"/> Other: <b>SEE COMMENTS BELOW</b>             | <input type="checkbox"/> Property Inventory Receipt        |

**Comments: You may write on back of this form to clarify or respond to the above.**

attach the entire completed 115.

RET'D OCT 18 2007

T. Variz  
T. Variz, Correctional Counselor-II  
Appeals Coordinator  
Salinas Valley State Prison

RET'D OCT 12 2007

Date: 10-6-07

**This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out – do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.**

**PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE**



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

INMATE/PAROLEE  
APPEAL FORM  
CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30568	N/A	B-5 # 214

A. Describe Problem: On 08-26-07 I was found guilty for a mutual combat in wich I had stated that I defended myself wich I guess was the wrong thing to say for I had restrained Rodea twice to keep him from striking me wich he had only done twice and bit me twice, I never hit him, I never even made a fist, I was doing the best I could to keep him from striking me, I thought that was self defense, I guess I was wrong, bottom line, it was not mutual combat. This is the second 602 I've sent in on this subject, I've gotten no response, this is the last <sup>602</sup> before I contact the Inspector General and Internal Affairs so please respond this time. other 602 sent in at 08-16-07

If you need more space, attach one additional sheet.

REC'D OCT 04 2007

B. Action Requested: change the guilty verdict to innocent and notify me ASAP to let me know.

RET'D OCT 12 2007

Inmate/Parolee Signature: Danny GarciaDate Submitted: 09-25-07

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

RECEIVED OCT 16 2007

RET'D OCT 18 2007

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

## D. FORMAL LEVEL

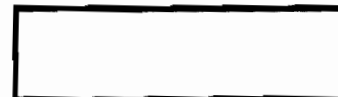
If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:



First Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

Interviewed by: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Division Head Approved: \_\_\_\_\_ Returned \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date to Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Second Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

☐ See Attached Letter

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

☐ See Attached Letter

Date: \_\_\_\_\_



NAME and NUMBER

GARCIA

V-30568

B5-214L

CDC-128-B (Rev. 4/74)

On August 4, 2007, at approximately 0720 hours, Inmates GARCIA, V-30568, B5-214L, and RODEA, P-13739, B5-215U, were involved in a mutual combat in Facility 'B' Building #5, within their assigned cell. Both inmates were medically evaluated and noted neither inmate sustained serious injuries as a result of the mutual combat. I proceeded to interview both inmates and they indicated that the altercation was due to a misunderstanding and that the issue had been resolved. Inmates GARCIA and RODEA further stated that they hold no animosity towards one another and could safely co-exist on the same facility with no further hostility. Subsequently, the inmates were housed in separate cells.

Orig: C-File

cc: Correctional Counselor I  
Program Sergeant  
Inmate

Danny Darcia  
Inmate GARCIA, V-30568

[Signature]  
Inmate RODEA, P-13739

Sgt R Holland  
R. Holland, Correctional Sergeant  
Facility 'B' Sergeant  
Salinas Valley State Prison

DATE: 08/04/07 (Compatibility Chrono)

GENERAL CHRONO

NAME and NUMBER

RODEA

P-13739

B5-214U

CDC-128-B (Rev. 4/74)

On August 4, 2007, at approximately 0720 hours, Inmates GARCIA, V-30568, B5-214L, and RODEA, P-13739, B5-215U, were involved in a mutual combat in Facility 'B' Building #5, within their assigned cell. Both inmates were medically evaluated and noted neither inmate sustained serious injuries as a result of the mutual combat. I proceeded to interview both inmates and they indicated that the altercation was due to a misunderstanding and that the issue had been resolved. Inmates GARCIA and RODEA further stated that they hold no animosity towards one another and could safely co-exist on the same facility with no further hostility. Subsequently, the inmates were housed in separate cells.

Orig: C-File

cc: Correctional Counselor I  
Program Sergeant  
Inmate

Danny Darcia  
Inmate GARCIA, V-30568

[Signature]  
Inmate RODEA, P-13739

Sgt R Holland  
R. Holland, Correctional Sergeant  
Facility 'B' Sergeant  
Salinas Valley State Prison

DATE: 08/04/07 (Compatibility Chrono)

GENERAL CHRONO

**MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE**

NAME OF INSTITUTION <b>SVSP</b>	FACILITY/UNIT <b>Bravo</b>	REASON FOR REPORT (circle) <b>INJURY</b>	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE <b>8-4-07</b>
USE OF FORCE		UNUSUAL OCCURRENCE		
HIS SECTION FOR INMATE ONLY	NAME LAST <b>Rodriguez</b>	FIRST <b>JOSE</b>	CDC NUMBER <b>113739</b>	HOUSING LOC. <b>25 J14</b>
HIS SECTION FOR STAFF ONLY	NAME LAST <b>Rodriguez</b>	FIRST <b>JOSE</b>	BADGE #	RANK/CLASS
HIS SECTION FOR VISITOR ONLY	NAME LAST <b>Rodriguez</b>	FIRST <b>JOSE</b>	MIDDLE	DOB
HOME ADDRESS		CITY	STATE	ZIP
PLACE OF OCCURRENCE <b>105</b>		DATE/TIME OF OCCURRENCE <b>8-4-07 0925</b>		NAME OF WITNESS(ES)
TIME NOTIFIED <b>1725</b>	TIME SEEN <b>1805</b>	ESCORTED BY	MODE OF ARRIVAL (circle) <b>AMBULATORY</b>	LITTER ON SITE
WHEELCHAIR		AGE <b>30</b>	RACE <b>Hispanic</b>	SEX <b>M</b>

BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE

*Nothing to Say.*

**INJURIES FOUND? YES / NO**

Abrasion/Scratch	<b>1</b>
Active Bleeding	<b>2</b>
Broken Bone	<b>3</b>
Bruise/Discolored Area	<b>4</b>
Burn	<b>5</b>
Dislocation	<b>6</b>
Dried Blood	<b>7</b>
Fresh Tattoo	<b>8</b>
Cut/Laceration/Slash	<b>9</b>
D.C. Spray Area	<b>10</b>
Pain	<b>11</b>
Protrusion	<b>12</b>
Puncture	<b>13</b>
Reddened Area	<b>14</b>
Skin Flap	<b>15</b>
Swollen Area	<b>16</b>
Other	<b>17</b>

18

19

D.C. SPRAY EXPOSURE? YES / NO

DECONTAMINATED? YES / NO

Self-decontamination instructions given? YES / NO

Refused decontamination? YES / NO

15 min. checks

Staff issued exposure packet? YES / NO

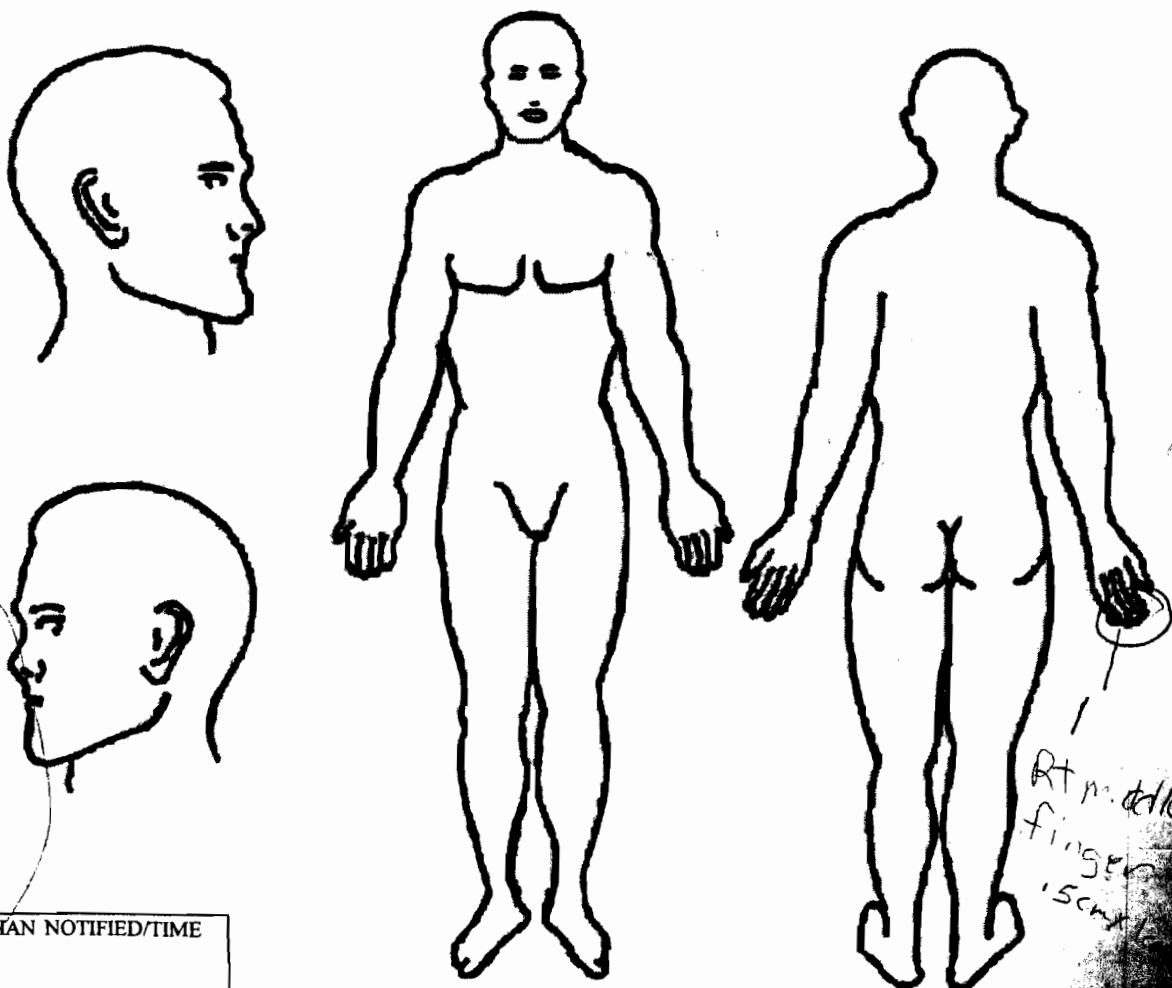
IN NOTIFIED/TIME

PHYSICIAN NOTIFIED/TIME

TIME/DISPOSITION

-esive RN 0815

RTC 0815



REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

Washington Washington

BADGE #

4328

RDO

11

STATE OF CALIFORNIA

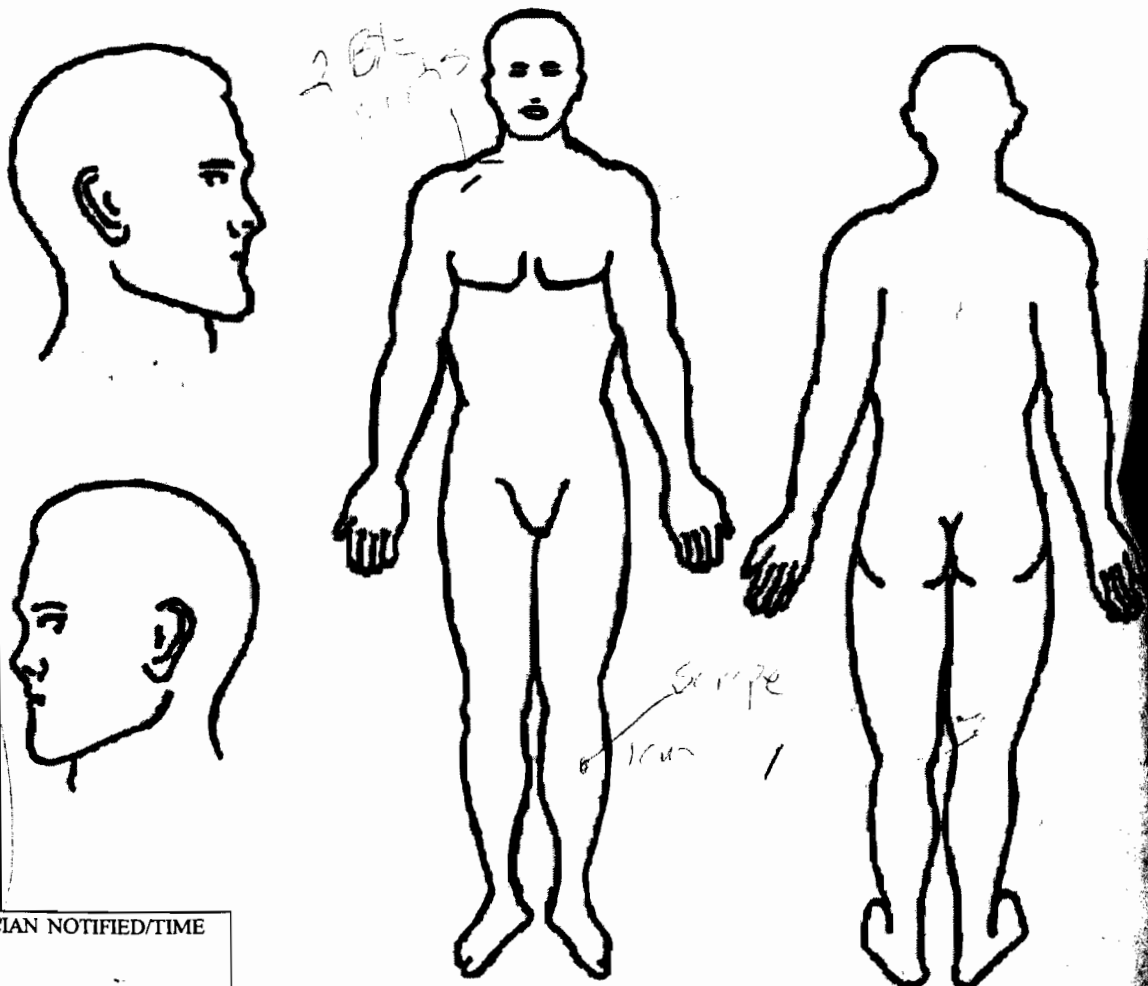
DEPARTMENT OF CORRECTIONS AND REHABILITATION

**MEDICAL REPORT OF INJURY  
OR UNUSUAL OCCURRENCE**

NAME OF INSTITUTION <b>SUSP</b>	FACILITY/UNIT <b>Bravo</b>	REASON FOR REPORT (circle) <b>INJURY</b>	ON THE JOB INJURY PRE AD/SEG ADMISSION	DATE <b>8-4-07</b>
USE OF FORCE		UNUSUAL OCCURRENCE		
THIS SECTION FOR INMATE ONLY	NAME LAST <b>Garcia</b>	FIRST	CDC NUMBER <b>V30568</b>	HOUSING LOC. <b>B5214</b>
THIS SECTION FOR STAFF ONLY	NAME LAST	FIRST	BADGE #	RANK/CLASS
THIS SECTION FOR VISITOR ONLY	NAME LAST	FIRST	MIDDLE	DOB
	HOME ADDRESS	CITY	STATE	ZIP
PLACE OF OCCURRENCE <b>55</b>		DATE/TIME OF OCCURRENCE <b>8-4-07 0725</b>		NAME OF WITNESS(ES)
TIME NOTIFIED <b>0725</b>	TIME SEEN <b>0805</b>	ESCORTED BY	MODE OF ARRIVAL (circle) <b>AMBULATORY</b>	LITTER <b>ON SITE</b>
			WHEELCHAIR	AGE <b>40</b>
				RACE <b>Hispanic</b>
				SEX <b>M</b>
BRIEF STATEMENT IN SUBJECT'S WORDS OF THE CIRCUMSTANCES OF THE INJURY OR UNUSUAL OCCURRENCE				

**Attacking myself**

INJURIES FOUND?	YES / NO
Abrasion/Scratch	<b>1</b>
Active Bleeding	<b>2</b>
Broken Bone	<b>3</b>
Bruise/Discolored Area	<b>4</b>
Burn	<b>5</b>
Dislocation	<b>6</b>
Dried Blood	<b>7</b>
Fresh Tattoo	<b>8</b>
Cut/Laceration/Slash	<b>9</b>
O.C. Spray Area	<b>10</b>
Pain	<b>11</b>
Protrusion	<b>12</b>
Puncture	<b>13</b>
Reddened Area	<b>14</b>
Skin Flap	<b>15</b>
Swollen Area	<b>16</b>
Other	<b>17</b>
	<b>18</b>
	<b>19</b>
O.C. SPRAY EXPOSURE?	YES / NO
DECONTAMINATED?	YES / NO
Self-decontamination instructions given?	YES / NO
Refused decontamination?	YES / NO
Q 15 min. checks	
Staff issued exposure packet?	YES / NO



RN NOTIFIED/TIME <b>Leslie RN 0815</b>	PHYSICIAN NOTIFIED/TIME
TIME/DISPOSITION <b>RTC 0815</b>	

REPORT COMPLETED BY/TITLE (PRINT AND SIGN)

**Washington Williams**BADGE #  
**4328**RDOs  
**4**



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

## RÜLES VIOLATION REPORT 804 SENT TO RECORDS ON:

BY:

CDC NUMBER V-30568	INMATE'S NAME GARCIA	RELEASE/BOARD DATE	INST. S.V.S.P.	HOUSING NO. P5-214L	LOG NO. P07-08-0002
VIOLATED RULE NO(S). CR §305(c)		SPECIFIC ACTS MUTUAL COMBAT	LOCATION P5-214	DATE 08/04/07	TIME 0730 HRS

## CIRCUMSTANCES

On 08/04/07, at approximately 0730 hours, while performing my duties at Facility "P", Building 5, Floor Officer 1, during the morning meal, I was called back to Building 5 via my state issued radio by Officer S. Lopez, the Facility "P" Control Booth Officer. Officer Lopez informed me that there were fighting noises coming from the "A" Section area. I immediately proceeded to conduct a security check of "A" Section and observed both inmates in P5-214, facing each other and breathing heavy. Cell P5-214 is occupied by inmate RODEA (P-13729) and GARCIA (V-30568). I noticed a television was on the cell floor by the desk area and that stuff was strewn about the cell. I observed what appeared to be blood on the shorts of inmate RODEA. I pressed my personal alarm. I then placed both inmates in mechanical restraints (handcuffs) through the cell door food port.

INMATE GARCIA IS A PARTICIPANT IN THE DEPARTMENT'S MENTAL HEALTH SERVICES DELIVERY SYSTEM (MHSD), AT THE CCMS LEVEL OF CARE.

INMATE GARCIA'S READING TAPES SCORE IS ABOVE 4.0.

REPORTING EMPLOYEE (Typed Name and Signature) P. McLellan, Correctional Officer		DATE 8/10/07	ASSIGNMENT P5, Flr 1	RDO'S Mon/Tues
REVIEWING SUPERVISOR'S SIGNATURE [Signature]		DATE 8/10/07	<input type="checkbox"/> INMATE SEGREGATED PENDING HEARING N/A	
CLASSIFIED <input type="checkbox"/> ADMINISTRATIVE <input checked="" type="checkbox"/> SERIOUS	OFFENSE DIVISION: D.4 D	DATE 8/10/07	CLASSIFIED BY (Typed Name and Signature) [Signature]	HEARING REFERRED TO <input type="checkbox"/> HO <input checked="" type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> FC

## COPIES GIVEN INMATE BEFORE HEARING

<input type="checkbox"/> CDC 115 P07-08-0002	BY: (STAFF'S SIGNATURE) [Signature]	DATE	TIME	TITLE OF SUPPLEMENT 07219 x 2 [Signature]
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER: N/A	BY: (STAFF'S SIGNATURE) [Signature]	DATE	TIME	BY: (STAFF'S SIGNATURE) [Signature]

## HEARING

REFERRED TO ☐ CLASSIFICATION ☐ BPT/NAEA

ACTION BY: (TYPED NAME)	SIGNATURE [Signature]	DATE	TIME
REVIEWED BY: (SIGNATURE) [Signature]	DATE	CHIEF DISCIPLINARY OFFICER'S SIGNATURE [Signature]	DATE
<input type="checkbox"/> COPY OF CDC 115 GIVEN INMATE AFTER HEARING	BY: (STAFF'S SIGNATURE) [Signature]	DATE	TIME

CDC 115 (7/88)

**SERIOUS RULES VIOLATION REPORT**

CDC NUMBER V-07569	INMATE'S NAME CAROTA	VIOLATED RULE NO(S) CR 8205(c)	DATE 08/24/07	INSTITUTION S.V.S.P.	LOG NO. W-2-000
-----------------------	-------------------------	-----------------------------------	------------------	-------------------------	--------------------

 REFERRAL FOR FELONY PROSECUTION IS LIKELY IN THIS INCIDENT ☐ YES ☒ NO
**POSTPONEMENT OF DISCIPLINARY HEARING**

<input type="checkbox"/> I DO NOT REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE N/A	DATE
<input type="checkbox"/> I REQUEST my hearing be postponed pending outcome of referral for prosecution.	INMATE'S SIGNATURE N/A	DATE

DATE NOTICE OF OUTCOME RECEIVED \_\_\_\_\_ DISPOSITION \_\_\_\_\_

<input type="checkbox"/> I REVOKE my request for postponement.	INMATE'S SIGNATURE N/A	DATE
--	---------------------------	------

**STAFF ASSISTANT**

STAFF ASSISTANT	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> ASSIGNED	DATE	NAME OF STAFF
<input type="checkbox"/> NOT ASSIGNED	REASON None 3315 LA	

**INVESTIGATIVE EMPLOYEE**

INVESTIGATIVE EMPLOYEE	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> REQUESTED <input type="checkbox"/> WAIVED BY INMATE	INMATE'S SIGNATURE	DATE
<input type="checkbox"/> ASSIGNED	DATE	NAME OF STAFF
<input type="checkbox"/> NOT ASSIGNED	REASON None 3315 LA	

EVIDENCE / INFORMATION REQUESTED BY INMATE:

**WITNESSES**

WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS)

☐ REPORTING EMPLOYEE ☐ STAFF ASSISTANT ☐ INVESTIGATIVE EMPLOYEE ☐ OTHER ☒ NONE

WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)		GRANTED	NOT GRANTED	WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER)		GRANTED	NOT GRANTED
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>

INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary.

<input checked="" type="checkbox"/> COPY OF CDC 115-A GIVEN INMATE	BY: (STAFF'S SIGNATURE)	INVESTIGATOR'S SIGNATURE	DATE
		TIME	DATE



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

## RULES VIOLATION REPORT - PART C

PAGE 3 OF 3

CDC NUMBER V-30568	INMATE'S NAME CAROTA	LOG NUMBER P07-08-0000	INSTITUTION S.V.S.P.	TODAY'S DATE 08/04/07
<input checked="" type="checkbox"/> SUPPLEMENTAL	<input type="checkbox"/> CONTINUATION OF:	<input checked="" type="checkbox"/> 115 CIRCUMSTANCES	<input type="checkbox"/> HEARING	<input type="checkbox"/> IE REPORT
<input type="checkbox"/> OTHER				

On 08/04/07, at approximately 0725 hours, while performing my duties as Facility 'D', Building 5, Control Booth Officer, I heard loud banging noises emanating from Building 5, 'A' Section area. I called Officer McClellan that someone was banging on the cell door in the 'A' Section area of the building. Officer McClellan conducted a security check of 'A' Section and stopped at cell B5-214. Officer McClellan activated his personal alarm. Officer McClellan and responding staff then placed both inmates in handcuffs. Sergeant Holland then instructed me to open cell B5-214, which housed inmate ROFEA (P-13739) and inmate CAROTA (V-30568) and both inmates were taken to the 'D' Facility Health Annex for 7210 medical evaluations by medical staff.

SIGNATURE OF WRITER S. LOPEZ, CORRECTIONAL OFFICER		DATE SIGNED	
<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

## RULES VIOLATION REPORT - PART C

PAGE 2 OF 3

CDC NUMBER V-30568	INMATE'S NAME GARCIA	LOG NUMBER P07-08-0002	INSTITUTION S.V.S.P.	TODAY'S DATE 08/04/07
<input type="checkbox"/> SUPPLEMENTAL	<input checked="" type="checkbox"/> CONTINUATION OF: <input checked="" type="checkbox"/> 115 CIRCUMSTANCES <input type="checkbox"/> HEARING <input type="checkbox"/> IE REPORT <input type="checkbox"/> OTHER			

Sergeant Holland then ordered the cell opened and both inmates were then taken to Facility "B" Health Annex by responding staff for 7219 medical evaluations and placed them both in holding cells. No force was used. I advised inmate RTFA and inmate GARCIA that they were in violation of CCR 3305(c), 'MUTUAL COMBAT' and they will be receiving a CCR-115 Rules Violation Report. I also informed both inmates that any further violations of this nature will result in progressive disciplinary action. Both inmates are aware of this report.

(CONTINUED ON RVR PART-C)

<input checked="" type="checkbox"/> COPY OF CDC 115-C GIVEN TO INMATE	SIGNATURE OF WRITER P. McClellan, Correctional Officer		DATE SIGNED 8/11/07
	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

DEPARTMENT OF CORRECTIONS

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GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME	CDC NUMBER
---------------	------------

**REASON(S) FOR PLACEMENT (PART A)**

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS
- ☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY
- ☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:  
 "State Court, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607,

NOTE: Insert 112 is a photocopy of the United States Copyright Office's copy of the original.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: 1/1	
DATE OF ASU PLACEMENT 01/12/01	SEGREGATION AUTHORITY'S PRINTED NAME S. P. [illegible]	SIGNATURE [Signature]	TITLE [illegible]
DATE NOTICE SERVED 11-01-01	TIME SERVED 2-4	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE [illegible]	SIGNATURE [Signature]
INMATE REFUSED TO SIGN		INMATE SIGNATURE [illegible]	STAFF'S TITLE [illegible]
			CDC NUMBER [illegible]

### ADMINISTRATIVE REVIEW (PART B)

***The following to be completed during the initial administrative review by Captain or higher by the first working day following placement***

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b> LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES		EVIDENCE COLLECTION BY IE <u>UNNECESSARY</u> <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES	
<input type="checkbox"/> <b>NOT ASSIGNED</b>		<input type="checkbox"/> <b>NOT ASSIGNED</b>	

## INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER    ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME  
☐ NO WITNESSES REQUESTED BY INMATE    INMATE SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

### WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:** ☐ RELEASE TO UNIT/FACILITY\_\_\_\_\_ ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

**REASON FOR DECISION:**

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
mon	tue	wed	Thurs	Fri	Sat	Sun
4	5	6	7	8	9	10
11	12	13	14	15	16	17

Committee  
Committee

Monday  
toilet Paper

Thursday  
cups & scrubber  
toothpaste - Brush  
disinfectant  
Pencil & Paper

Saturday  
Puzzles

on 01-29-08 I was weighed 154 lb. a loss of 6 lb in 12 days  
on 01-31-08 I weighed 152 1/2

gough  
Mrs Gough  
Committee  
Gough  
Gough  
Liauteng  
Parrin

Property officer  
Mendez  
(Dr. Zaglich)  
(CO. ORTEGA)  
Box of letters (personal letters - family)

Cup or and bowl?  
All carry meds  
1 cinnamon spice (opened)  
6 Soaps  
1 Deck cards  
1 Wash cloth

2 legal envelope (Important Papers inside)

~~Toothbrush if not broken gently~~

uns + os Fri

Headphones  
Thermo Bottom's Grey  
White  
Grey  
Beanie  
Sugar sgd.  
1 Soap opened already  
1 Shampoo opened  
~~1 Toothbrush~~  
Bible  
Glasses  
Cough drops  
Box of envelopes  
Comb  
Dental floss (picks)

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

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PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

CDC NUMBER

## REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate [REDACTED], V-30568, on 08/17/08, was being placed into Administrative Segregation for "Allegation of Staff Misconduct". As a result of this, your presence in the Facility for Administrative Segregation is being placed under review and the security of this institution. You will remain in ASU pending an investigation and ICC review of your future housing/proposed assignments. This placement will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your placement in ASU is ordered by Lieutenant P. Parin.

NOTE: Inmate [REDACTED] is a participant in the Mental Health Services Delivery System at the CC level of care.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /	
DATE OF ASU PLACEMENT 08/17/08	SEGREGATION AUTHORITY'S PRINTED NAME P. Parin	SIGNATURE <i>[Signature]</i>	TITLE LT. [REDACTED]
DATE NOTICE SERVED 1/17/08	TIME SERVED 1215	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE THOMAS, M	SIGNATURE <i>[Signature]</i>
INMATE REFUSED TO SIGN		INMATE SIGNATURE <i>[Signature]</i>	CDC NUMBER V-30568

## ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT'S NAME ASSIGNED	TITLE CC I	INVESTIGATIVE EMPLOYEE'S NAME N/A	TITLE ---
IS THIS INMATE:			
LITERATE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
FLUENT IN ENGLISH? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
ABLE TO COMPREHEND ISSUES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<input checked="" type="checkbox"/> NOT ASSIGNED Any "NO" requires SA assignment		<input checked="" type="checkbox"/> NOT ASSIGNED Any "NO" may require IE assignment	

## INMATE WAIVERS

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE <i>[Signature]</i> DATE

## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME N/A	TITLE/CDC NUMBER	WITNESS' NAME N/A	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☒ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION: RETAIN LOW PENDING ICC, 2X CELL

REASON FOR DECISION: HIGH CCMS

REASON FOR DECISION: INVESTIGATION INTO ALLEGATIONS

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]

REASON FOR DECISION: [REDACTED]



STATE OF CALIFORNIA  
 ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
 CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

FROM: B3-205L

TO: D2-117L

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INMATE'S NAME

GARCIA

CDC NUMBER

V-30568

## REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-30568, on 02/08/08, you are being placed into Administrative Segregation due to your being the "Victim Of A Battery." Specifically, on this date, you were the victim of a battery by an unknown assailant within the Facility B recreation yard. Based on this, your presence in the Facility B SNY-General Population is deemed a threat to your safety and the security of this institution. You will remain in Ad/Seg on Single Cell Status pending an investigation by Correctional Sergeant K. Johnson and I.C.C. review of your future housing/program requirements. This placement will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your placement in Ad/Seg is ordered by Lieutenant R. Parin.

NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CCMS level of care.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT 02/08/08	SEGREGATION AUTHORITY'S PRINTED NAME R. Parin	SIGNATURE <i>[Signature]</i>	TITLE Lieutenant
DATE NOTICE SERVED 2/8/08	TIME SERVED 1642HRS	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE K. HERNANDEZ	SIGNATURE <i>[Signature]</i>
STAFF'S TITLE C/O			

<input type="checkbox"/> INMATE REFUSED TO SIGN	INMATE SIGNATURE <i>[Signature]</i>	CDC NUMBER V-30568
---	--	-----------------------

## ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

## STAFF ASSISTANT (SA)

## INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT'S NAME ASSIGNED	TITLE CCT	INVESTIGATIVE EMPLOYEE'S NAME N/A	TITLE N/A
------------------------------------	--------------	--------------------------------------	--------------

## IS THIS INMATE:

LITERATE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

☐ NOT ASSIGNED

Any "NO" requires SA assignment

☐ NOT ASSIGNED

Any "NO" may require IE assignment

## INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME

<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE	DATE
---	------------------	------

## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME N/A	TITLE/CDC NUMBER	WITNESS' NAME N/A	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☒ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☒ SINGLE CELL PENDING ICC

## REASON FOR DECISION:

RETAIN ASU PENDING ICC, 1X CELL  
 PENDING ICC. PSYCH CCMS  
 1st POSTS A THREAT.

ADMINISTRATIVE REVIEWER'S PRINTED NAME W. M. [Signature]	TITLE CAPT.	DATE OF REVIEW 2/11/08	TIME 1653	ADMINISTRATIVE REVIEWER'S SIGNATURE <i>[Signature]</i>
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

STATE OF CALIFORNIA  
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE  
CDC 114-D (Rev 10/98)

DEPARTMENT OF CORRECTIONS

FROM: P3-205L

TO:

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU  
CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME

GARCIA

CDC NUMBER

V-37568

## REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

## DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-37568, on 02/08/08, you are being placed into Administrative Segregation due to your being the Victim of A Battery. Specifically, on this date, you were the victim of a battery by an unknown assailant within the Facility's recreation yard. Based on this, your presence in the Facility's General Population is deemed a threat to your safety and the security of this institution. You will remain in A/Seg on Single Cell Status pending an investigation by Correctional Sergeant K. Johnson and I.C.C. review of your future housing/program requirements. This placement will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your placement in A/Seg is ordered by Lieutenant R. Parin.

NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CCMS level of care.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT 02/08/08	SEGREGATION AUTHORITY'S PRINTED NAME R. Parin	SIGNATURE		TITLE Lieutenant
DATE NOTICE SERVED 7/15/08	TIME SERVED 10:00 AM	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE K. Johnson	SIGNATURE	STAFF'S TITLE / /
<input type="checkbox"/> INMATE REFUSED TO SIGN		INMATE SIGNATURE		CDC NUMBER

## ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

## STAFF ASSISTANT (SA)

## INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b> LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES <input type="checkbox"/> NO Any "NO" requires SA assignment		EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED		<input type="checkbox"/> NOT ASSIGNED	

## INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME  
☐ NO WITNESSES REQUESTED BY INMATE

INMATE SIGNATURE

DATE

## WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

See Chronological Classification Review document (CDC 128-G) for specific hearing information



State of California  
INFORMED CONSENT FOR MENTAL HEALTH CARE  
CDCR 7448 (06/06)

Department of Corrections and Rehabilitation

## INFORMED CONSENT FOR MENTAL HEALTH CARE

### **Limits of Confidentiality and Record Keeping for Mental Health Services**

- I understand that my mental health treatment is confidential and mental health staff will not disclose information about my treatment to anyone who is not involved in the mental health program without my permission, unless one of the following exceptions exist:
  - Any proceeding where I raise the issue of my mental or emotional condition.
  - If I enlist the services of a mental health professional to aid in the commission of a crime or tort or to escape detection after the commission of a crime or tort.
  - If my clinician has reason to believe that I have been involved in, or have knowledge of neglect, physical, emotional, or sexual abuse of a child. This includes abuse perpetrated against me as a child, if the abuser may still have access to children and the abuse was not previously reported.
  - If my clinician has reason to believe that I have been involved in, or have knowledge of financial exploitation, neglect, physical, emotional, or sexual abuse of an elder or dependent adult.
  - When the clinician believes my mental or emotional condition may cause me to be: (a) unable to adequately care for myself; (b) a danger to myself, or (c) a danger to others, and the clinician believes that disclosure is necessary in order to prevent any of the above (such as threats to harm myself or threats to harm others).
  - In this setting, it may be necessary for my clinician to disclose confidential information in order to ensure the security of the institution and the safety of the staff, other inmates and the public, and my health and safety (e.g., to prevent escape, to prevent riots or assaults, to prevent the admittance of contraband, in the case of over familiarity or romantic relationships with staff, indecent exposure, or in the case of sexual assault regardless of whether I am the perpetrator or the victim).
  - In this setting, information from my Unit Health Record may be used to complete required evaluations, including, but not limited to the Board of Prison Terms Reports, Mentally Disordered Offender evaluations, Sexually Violent Predator evaluations, and evaluations for involuntary medications (Keyhea). In these cases, information from my Unit Health Record may be made available to the courts and to mental health professionals outside of the California Department of Corrections and Rehabilitation.
  - I understand that while I am under the supervision of the California Department of Corrections and Rehabilitation, the Mental Health Treatment Team may include correctional counselors, parole officers, and other correctional staff.
  - I understand that my treatment will be documented in my Unit Health Record and placement chronos will be placed in my Central File.
  - I understand that the Unit Health Record is confidential and can only be read by staff authorized to view it which includes mental health, medical, and dental staff members.
  - I understand that my Unit Health Record is confidential and information in the record cannot be released to anyone outside the California Department of Corrections and Rehabilitation without my written consent, except as noted above.
- I have read and/or discussed and understand the above statements about confidentiality and record keeping and I have been given the opportunity to ask questions about it.

Inmate's Signature/CDCR Number

Date

☒ I have discussed with the inmate the information on this form regarding confidentiality and record keeping for psychological services. It is my opinion he has the capacity to understand this information.

☐ I have discussed with the inmate the information on this form regarding confidentiality and record keeping for psychological services. It is my opinion that he lacks the capacity to understand based on the following evidence:

Clinician's Signature

Date

Last Name,  
Garcia

First Name:  
Darius

CDC#:  
V30569

DOB:  
2/13/63

## **INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: D1/201

Date: January 28, 2008

From: **INMATE APPEALS OFFICE**

Re: APPEAL LOG NUMBER: SVSP-D-08-00403

ASSIGNED STAFF REVIEWER: **CTC**  
APPEAL ISSUE: MEDICAL

**DUE DATE: 03/11/2008**

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for FIRST level response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal for SECOND level review.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

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CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME GARCIA CDC NUMBER V-30568

REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate GARCIA, V-30568, you were originally placed in Administrative Segregation on 02/08/08, due to your being the "Victim Of A Battery." The investigation into your battery has been completed. Therefore, due to potential enemies on Facility 'B' you are being retained in A/Seg "Pending Transfer". Based on this your presence in the Facility B SNV-General Population is deemed a threat to your safety and the security of this institution. You will remain in A/Seg pending transfer. This retention will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your retention in A/Seg is ordered by Lieutenant R.A. Kessler.

NOTE: Inmate GARCIA is a participant in the Mental Health Services Delivery System at the CCMS level of care.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: 1 / 1

DATE OF ASU PLACEMENT <u>03/06/08</u>	SEGREGATION AUTHORITY'S PRINTED NAME <u>R.A. Kessler</u>	SIGNATURE <u>[Signature]</u>	TITLE <u>Lieutenant</u>
DATE NOTICE SERVED <u>3/6/08</u>	TIME SERVED <u>1020</u>	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE <u>S.E. ASEJO</u>	SIGNATURE <u>[Signature]</u>
INMATE REFUSED TO SIGN <u>[Signature]</u>		INMATE SIGNATURE <u>[Signature]</u>	CDC NUMBER <u>90</u>

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)

INVESTIGATIVE EMPLOYEE (IE)

STAFF ASSISTANT'S NAME <u>Assigned Case Worker</u>	TITLE <u>CCI</u>	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
IS THIS INMATE: LITERATE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO FLUENT IN ENGLISH? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ABLE TO COMPREHEND ISSUES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Any "NO" requires SA assignment		EVIDENCE COLLECTION BY IE UNNECESSARY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DECLINED ANY INVESTIGATIVE EMPLOYEE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED		<input checked="" type="checkbox"/> NOT ASSIGNED	

INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME

☒ NO WITNESSES REQUESTED BY INMATE INMATE SIGNATURE BTS DATE 3-7-08

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☒ RETAIN PENDING ICC REVIEW ☒ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION:

Remain ASU PENDING ICC  
ENDANGERS INST. SECURITY

ADMINISTRATIVE REVIEWER'S PRINTED NAME <u>D.C. FLETCHER</u>	TITLE <u>CHPT (A)</u>	DATE OF REVIEW <u>3-7-08</u>	TIME <u>1930</u>	ADMINISTRATIVE REVIEWER'S SIGNATURE <u>[Signature]</u>
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW



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INMATE'S NAME **GARCIA** CDC NUMBER **167740**

**REASON(S) FOR PLACEMENT (PART A)**

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

Inmate **GARCIA, V-20648**, you were originally placed in Administrative Segregation on **07/08/08**, due to your being the "Victim of A Battery." The investigation into your battery has been completed. Therefore, due to potential ~~overcrowding~~ on Facility "B" you are being retained in A/Seg "Pending Transfer". Based on this your presence in the Facility B General Population is deemed a threat to your safety and the security of this institution. You will remain in A/Seg pending transfer. This retention will affect your Custody Level, Credit Earning, Privilege Group and Visiting Status. Your retention in A/Seg is ordered by Lieutenant **R.A. Kessler**.

**NOTE:** Inmate **GARCIA** is a participant in the Mental Health Services Delivery System at the CCMS level of care.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: **/ /**

DATE OF ASU PLACEMENT <b>03/06/08</b>	SEGREGATION AUTHORITY'S PRINTED NAME <b>R.A. Kessler</b>	SIGNATURE <i>[Signature]</i>	TITLE <b>Lieutenant</b>
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
			STAFF'S TITLE

☐ INMATE REFUSED TO SIGN INMATE SIGNATURE CDC NUMBER

**ADMINISTRATIVE REVIEW (PART B)**

*The following to be completed during the initial administrative review by Captain or higher by the first working day following placement*

**STAFF ASSISTANT (SA)**

**INVESTIGATIVE EMPLOYEE (IE)**

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b>			
LITERATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE <b>UNNECESSARY</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES		
<input type="checkbox"/> NOT ASSIGNED Any "NO" requires SA assignment		<input type="checkbox"/> NOT ASSIGNED Any "NO" may require IE assignment	

**INMATE WAIVERS**

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME  
☐ NO WITNESSES REQUESTED BY INMATE INMATE SIGNATURE DATE

**WITNESSES REQUESTED FOR HEARING**

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:** ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC  
REASON FOR DECISION

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

# INMATE/PAROLEE APPEAL FORM

CDC 602 (12-87)

Location Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be for using the appeals procedure responsibly.

NAME

NUMBER

ASSIGNMENT

UNIT/ROOM NUM

Danny GarciaV-30568N/AD-1 #209

A. Describe Problem: on 01-17-08 I was put in AD SEG for my own safety from staff & inmates, on 02-07-08 after an investigation, I was deemed a liar and was put back on B-yard, approx. 10-15 minutes after being back on the yard, 4 unknown inmates snuck up behind me and hit me then all of them attacked me, the attack was sever, I have cuts & bruises, a bloody nose and stitches on my head or more precise, staples. I immediately put back in AD SEG again for my own safety, On 02-13-08 (my birthday) I went to a psych hearing (ITT?) and a Mrs. Gouch noticed me and ask me if I like being here in AD SEG, assuming I was a trouble maker and that it was my fault for being hear in AD SEG, I am severely Depressed because nobody took me seriously, I've just been attacked, I was asked if I wish to attend this

If you need more space, attach one additional sheet.

next page --&gt;

B. Action Requested: Remove Mrs. Gouch from the Committee board, as head of the committee she is showing the other psych student's the wrong way to help people, she has never helped me once and now she's hurt me, I don't know if I can trust those people, I definatly don't want to go back to be accused of something I have no control over

Inmate/Parolee Signature: Danny GarciaDate Submitted: 02-13-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number: \_\_\_\_\_

Board of Control form BCC-1 (Inmate Claim)

psych committee and I said to think they were in to head Mrs. Gouch show no sensitivity for my condition and assume's I'm a trouble maker, asks a dumb and hurtful question (DO I LIKE BEING HEAR IN AD SEG), I was just put back in B-Yard, no one listend to me, I was basically accused of lying, how do you think that made me feel, then with this feeling on top of being scared, I'm attacked and I didn't even realy know what was happening because they came from behind, I managed to take a glimpse in between punches to see their was at least 3-4 of them, next thing I know I'm getting up off the ground, blood is gushing from my head, it looked like a water faucet was on, I knew I was hurt bad so I walked over to a C.O. who called it in and the yard went down, I was sent to CTC and the doctor's put staple's instead of stitches, the whole time my clothe's are covered with blood. I'm sent back to B-yard and the whole time my heart's pumping fast, scared to go back to the yard but when I got there the yard was empty so I felt relieved, I was put in a cage in Annex and left to stand in there with just my boxer short's on, freezing, I'm thinking, will this never end, I've just been attacked, I have staple's in my head, I'm still bleeding with a splitting headache and I'm in a cage, more insensativity. So I'm there for hour's while there trying to find the guy's who did it, then finaly late afternoon they take me to AD SEG, I'm put in my cell and once I settle in I looked around the cell and noticed that it was set up. New mattress, instead of 1 bar of soap ten, extra toilet paper, all new clothing and blanket's, a stack of paper and some envelopes wich they do not provide, disinfectant, and the C.O. even came and brought me some book's wich they don't usualy do, they'll tell you this when you first get here, but I believe it was Lieutenant PARIN who had this done for me and when it all sank in I cried, I was thinking what a bad world we live in, that GOD should destroy it and start all over again and then Lieutenant Parin & these C.O's show the first sign of compassion and it overwellmed me. I'm telling you this so you can put your feet in my shoe's to know how I felt and was feeling when I was on my way to the psych committee. I needed their help so I went and Mrs. Gouch say's: back again huh, how long were you ~~back~~<sup>gone</sup> (approx 10-15 min). You were only here for 15 minutes and your back again, do you like it here Mr. Garcia? again the feeling of hopelessness is back and the feeling of betrayal, who do I go to for help? how am I to ever trust those people again?

I comend and thank Lieutenant Parin and These C.O's here in AD SEG for being the first to show real compasion and concern

Danny Garcia 02-13-08

It's the little things in life that count.

Institution: MCSF Clinician: Robert Landry, Ph.D. Date: 5-22-08  
Staff Psychologist

## II. HISTORY (Continued)

H. Medical History: ☐ None reported or documented

Significant head trauma car accident. Attacked on yard, Allergies

Coma / Loss of Consciousness

Seizures

Other Relevant Medical Problems: High blood pressure. Leg shorter.

I. Mental Health History: ☐ None reported or documented

Outpatient Care 1

Inpatient Care

While Incarcerated

At POC First MH treatment in County

J. Psychotropic Medication: ☐ None

Current Psychotropic Medications: Benadryl.

Past Psychotropic Medications and outcomes: Wellbutrin, nemonon, paxil.

Other Current Medications: Medication for blood pressure.

**MENTAL HEALTH EVALUATION**

**CDCR 7386 (06/06)**

Confidential Client / Patient Information

Page 5 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia Danny

V30568

2-13-63



Institution: <u>MCSB</u>	Clinician:	Date: <u>5-22-08</u>
<b>III. MENTAL STATUS EXAMINATION</b>		
A. Appearance:		
B. Behavior/Cooperation:		
C. Orientation: <input checked="" type="checkbox"/> WNL		
D. Speech: <input checked="" type="checkbox"/> WNL <u>Loguous,</u>		
E. Affect: <input checked="" type="checkbox"/> WNL		
F. Mood: <input type="checkbox"/> WNL <u>mild anxiety</u>		
G. Sleep/Appetite: <input type="checkbox"/> WNL <u>7hrs,</u>		
H. Cognition: <u>100 93 86, 77, 70 LA, Sac, SF, Jose SD, Bush, Clinton, Bush,</u> Fund of Information <input checked="" type="checkbox"/> WNL Intellectual Functioning <input checked="" type="checkbox"/> WNL Concentration <input checked="" type="checkbox"/> WNL Attention <input checked="" type="checkbox"/> WNL Memory <input checked="" type="checkbox"/> WNL		
I. Thought Processes: <input checked="" type="checkbox"/> WNL <input type="checkbox"/> Tangential <input type="checkbox"/> Circumstantial <input type="checkbox"/> Loose		
J. Perception: Hallucinations <input checked="" type="checkbox"/> None		
K. Thought Content: Delusions <input type="checkbox"/> None <u>?</u> Ideas of Reference <input checked="" type="checkbox"/> None Obsessions <input checked="" type="checkbox"/> None Magical Thinking <input checked="" type="checkbox"/> None		
L. Insight <input checked="" type="checkbox"/> WNL Judgment <input checked="" type="checkbox"/> WNL		

**MENTAL HEALTH EVALUATION**  
**CDCR 7386 (06/06)**

Confidential Client / Patient Information

Page 7 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia Danny

V30568

2-13-63



Institution: MCSF

Clinician:

Robert Landry, Ph.D.

Date: 5-22-08

Staff Psychologist

**III. MENTAL STATUS EXAMINATION (Continued)**M. Suicide History: ☐ Ideation ☐ Intent ☐ Plan ☐ Attempt ☐ Gesture☐ Suicide Risk Assessment Checklist Completed Date: \_\_\_\_\_Risk Factors: ☐ PC/SNY ☐ Family History ☐ CDCR History of Serious AttemptDescribe history, lethality, current risk and protective factors: Some SI in DVI, none recently.No Family hx.

N. Current Violence Risk Factors:

O. Inmate Strengths:

**IV. SUMMARY: List DSM Criteria That Justify the Diagnosis.  
List Differential Diagnoses and Rationale.****MENTAL HEALTH EVALUATION  
CDCR 7386 (06/06)**

Confidential Client / Patient Information

Page 9 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia DannyV305682-13-63

<p><b>MENTAL HEALTH EVALUATION</b>  <b>CDCR 7386 (06/06)</b>  Confidential Client / Patient Information  Page 11 of 14</p>	<p>Inmate's Name (Last, First, MI), CDCR Number, DOB  Garcia Danny  V30568 2-13-63</p>
--	--

Clinician's Signature: Robert L. Long, MD

2-13-63

Received  
6/2/08

13-142

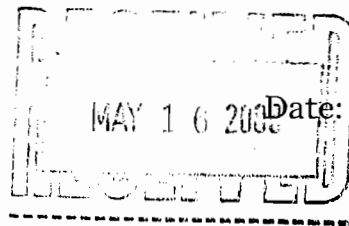
Fac A 3d VAL-  
312  
RECEIVED  
MAY 9 2008

## INMATE APPEAL ROUTE SLIP

AW: COMPLEX

To: **CA2**

CA2



Date: May 8, 2008

From: INMATE APPEALS OFFICE

Re: Appeal Log Number **SVSP-D-08-02109** By Inmate **GARCIA, V30568**

13-231

Please assign this appeal to appropriate staff for **FIRST** level response.

Appeal Issue: SEGREGATION HEARINGS

Due Date: **06/12/2008**

Special Needs:

DUE 6/15/08

D

**STAFF INSTRUCTIONS: Per Director's Rule 3084.5(f) (2) first level appeal review requires a personal interview with the inmate unless the appeal is granted.** This policy is not within the institution's jurisdiction and cannot be waived. Director's Rule 3084.5(f) (3) provides that a telephonic interview may be conducted if the inmate is not available in person.

Begin response with GRANTED, DENIED, PARTIALLY GRANTED or WITHDRAWN. When complete, return appeal to the Appeals Office. All first level appeals require signature of the Division Head. Appeals that are incomplete will be returned for appropriate completion.

Refer to D.O.M. 54100 for instructions.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison

msp

2008 JUN 25 04 22

Sgt Sullivan

msp  
2008 JUN 19 15 : 00

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

INMATE/PAROLEE  
APPEAL FORM  
CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1.

1.

2.

2.

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
Danny Garcia	V-30518	AIA unassigned	D-1 #202

A. Describe Problem *In the beginning of August of 2007 I put in a CDC alleging staff misconduct and feared for my safety, nothing was done about it. On 01-17-08 I went to see a psych tech (Bonilla) and told her of my stress and fear of going out to the yard, she suggested I tell the sergeant. I said no, that I don't know who I can trust, I insisted that I wanted to talk to the Captain or he assured me I would be able to trust this sergeant (Johnson) so I did and he put me in a cage and stripped me down to my boxer's and T-shirt and had me escorted in this condition to AD-SEG where I was treated like all the other inmates there for discipl inary reasons, same restrictions and restraints, this makes no sense, I had done nothing.*

If you need more space, attach one additional sheet.

B. Action Requested *I want to file charges against Salinas Valley State Prison, an employee of CDC for putting my life in danger after I came to them for help for violating my 8th amendment rights and for discrimination. Transfer me immediately close to home (Sacramento) - (Mule Creek St. Prison) and me the proper documents to file a citizen's complaint with the Inspector General & the FBI.*

Inmate/Parolee Signature: *Danny Garcia*Date Submitted: *02-19-08*

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

BYPASS

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

BYPASS

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number: \_\_\_\_\_

Board of Control form BC-1E, Inmate Claim

5-7-08 by SVSP HA

92 : 81 11 NOV 2008



First Level: ☐ Granted ☒ P. Granted ☐ Denied ☐ OtherE. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: 5/1/08Due Date: 6/12/08Interviewed by: K. Munkin

You were transferred to MCSA on 5/1/08.  
Your complaint is noted due to filing  
An appeal within the Inmate Appeals process

Staff Signature: [Signature]Title: COADate Completed: 6/4/08Division Head Approved: [Signature]Signature: [Signature]Title: WPTReturned: RET'D JUN 06 2008Date to: RET'D JUN 06 2008

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response:

Sacramento Valley State Prison staff discriminated against me, put my life in danger and  
I could have been killed, I came out with stitches and bumps & bruises, my head sti-  
ring's, I want compensation. They put me through a nightmare I can't  
forget, I still walk around scared, I want to file a 1983 to start proceedings

Signature: Danny Garcia

V-30563

Date Submitted: 06-17-08Second Level: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_

Due Date: \_\_\_\_\_

☐ See Attached Letter

Signature: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response:

resubmit: see above, partially granted 5/1/08, 6/12/08

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other☐ See Attached Letter

SVSP INMATE APPEALS OFFICE RECEIVED COMPLETED RESPONSE ON	
Date: <u>JUN 06 2008</u>	
1 <sup>ST</sup> LVL <input checked="" type="checkbox"/>	2 <sup>ND</sup> LVL <input type="checkbox"/>

wrong, yet here I am in AD-SEG getting the same disciplinary treatment as the other here, this seems clear to me that this is another form of retaliation for making allegations toward staff. On 01-24-08 I go to committee, they decide to retain me in AD-SEG. On 02-01-08 I go before sergeant Johnson who's demeanor is very irate, it seems I was wasting his time, he would ask me a question, I would answer and he would keep putting in his own words while writing it down saying Garcia assumed, I said I didn't say I assumed anything, then he said, I can see by your demeanor that you're not here to help me, he stated, no, I'm not, I'm only here to write down what you say, and I don't investigate CO's, and I said but you're not writing down exactly what I'm saying, you're putting it in your own words, and he said, you're a liar and you're making this up or you go along, I'm going to make sure I put you back on my yard, I said, well what if something happens to me? who's going to be responsible? and he said then I'll make sure you stay here in AD-SEG for a year and then I'll put you back on my yard. On 02-07-08 I went back to committee and they took sergeant Johnson's suggestion and ordered me back to B-yard. The next day (02-08-08) I went to the program office where a Mr. Ramon took me off of orientation and I left the program office and walked to the laundry to get my clothes and then started to walk across the yard to go back to the building because I knew it wasn't safe for me on the yard when an unknown inmate stopped me and started saying that the reason he did was because I looked like a homeboy of his and the next thing I know someone hit me from behind, apparently there was four of them who attacked me at the same time, I just remember getting up off the ground and seeing blood gushing out of my head from somewhere and I knew I was hurt bad, so I walked over to the program office where a CO. was and I yelled at him, he went inside, so I walked over to the annex where sergeant Johnson and a few CO's were hanging out and yelled sergeant! he looked and asked me what happened?, I said, what do you think happened, I told you I couldn't be on this yard. So they took me to medical, checked me over, ISU officer, Lt. Martinez came in and said he would like to talk to me later in private, I needed stitches so they sent me to CTC where a doctor put in a few staples and gave me a full set of X-rays to make sure nothing else was wrong. After being there for



when I got there the yard was clear, I felt relieved, then they put me back in a small cage in annex and stripped me down to my boxer and left me there for hours freezing my tail off. All this seems so wrong, I was just attacked by four inmates who I don't even know, my stitches are starting to bleed, my nose is also bleeding, I ask for some tissue, I have a splitting headache, I have bumps all over me and they have me locked in this small cage in only my boxer.

These are clearly 8th amendment violations, I should be lying down somewhere recuperating. All of this could've been avoided if someone would've taken the first 602 back in August seriously, instead this tragedy had to happen, I gave that 602 to lieutenant Kessler who handed it to a sergeant Holland, Lt Kessler told him to give it to the captain's secretary, the captain (Muniz) never got it, I talked to him, he stated that it was side stepped, I apologized for going to an outside agency (Inspector General) but I couldn't get a hold of him, he in turn apologized to me for not being able to help me, this was in the month of January of 08, our it's 02-16-08 and I'm in AD-SEG. On 02-14-08 I went to committee, they said to retain me here upon investigation, but what are they investigating? They caught the four inmates who attacked me, a friend (Ben Picaso) identified them, they're in AD-SEG along with Mr. Picaso who's life is now in danger and shouldn't be allowed back on that yard. They state ~~that~~ that they don't investigate CO's, so what's to investigate? Captain Muniz stated at committee that the decision will most likely be to not put me back on B-yard which is what should've been the decision in the first place. I sit here in AD-SEG reliving what happened to me over and over, no appliances (TV) to take my mind off of what happened. I try to read but keep reading the same paragraph over and over, I can't concentrate, this is a bad situation for me, it feels like the punishment (retaliation) hasn't stopped yet. A number of other inmates are here in AD-SEG for similar reasons, why was I the only one put back on the yard?

## INMATE REQUEST FOR INTERVIEW

STATE OF CALIFORNIA  
CA-29 10092

DEPARTMENT OF CORRECTIONS

DATE 04-28-08	TO Sgt. Rameriz	FROM (LAST NAME) Garcia	JDC NUMBER V-30568
HOUSING D-1	BED NUMBER 202	WORK ASSIGNMENT	JOB NUMBER
OTHER ASSIGNMENT (SCHOOL, THERAPY, ETC.)		FROM	TO
		ASSIGNMENT HOURS	FROM
			TO

Clearly state your reason for requesting this interview.

You will be called in for interview in the near future if the matter cannot be handled by correspondence.

Sergeant Rameriz, I am coming to you for help. I've sent this 602 into the appeals coordinator and have gotten no response, today is 04-28-08 and I'm going to put in another copy to see if they'll accept it and respond to it. I'm sending you this copy so at least you will know that I've sent it.

INTERVIEWED BY \_\_\_\_\_ DATE \_\_\_\_\_

DISPOSITION



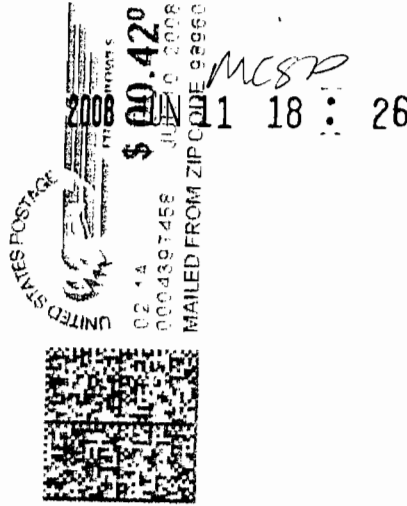
we writin a 602 and have sent two copies into the appeals coordinator. I'd that I'm trying to do my part in trying to help clear up this place, like I had told you before I don't mind sacrificing myself for a greater good, so I don't want what happened to be to be involved. Maybe you can send the 602 in from your end if I'm not able to do it from mine. I'm also sending it to you so you can know in detail what really happened to me, you seemed to be genuinely concerned so I thought maybe this can help in the investigation and maybe even help me.

Sincerely, Danny Garcia

04-28-08

*This is a copy of the envelope stamped June 11, 2008 to show when I recieved these documents, I'm keeping the originals and I've already sent a copy to the Inspector General.*

SALINAS VALLEY STATE PRISON  
INMATE APPEALS OFFICE  
P.O. BOX 1020  
SOLEDAD, CA 93960



MULE CREEK STATE PRISON  
P.O., BOX 409099  
IONE, CA 95640  
ATTN: INMATE APPEALS OFFICE

95640+9099 8900

~~at~~ <sup>alicia</sup>  
 the 602 and my new job separate, to be professional and she stated that I haven't even given her a chance yet, so I told her she's right, I'm going to take a step back and give her a chance, so let's start with a clean slate and she agreed but clearly she had no intentions of doing so, I'm told she's trying to get me fired, she's trying to take my pay number from me, check to see if she filed papers. After my job was done she called me and started to lecture me again, I mentioned to her that she's singling out, she stated that she didn't see the other porter, but we stood at the table at the same time and the other porter took a tray first and I did after him and then followed him approx. 3-4 feet behind him, so how could she not see him, was I being set up again? you need to check previous 602 to know what I'm talking about, so she insist on me telling her who the other porter was, so I told her, again she states she didn't see him so I forget how it was stated but making a mistake came up and she stated even <sup>(me)</sup> you make mistake's or you wouldn't be in prison and I said I didn't make a mistake to be in here and you shouldn't be bringing up my ~~reason~~ <sup>reason</sup> for being here, you don't know what really happened and she said I'm tired of you, get up against the wall, she kept kicking my inner ankle to spread wider and I couldn't go any wider, again another lecture and mack (co McCellen) stepped in and said ~~that~~ that we'll start fresh tomorrow after Ramos told me to lock it up, so I locked it up and waited for dayroom, at 1:00 pm. the door's opened and I stepped out and Ramos stepped me and asked me what my hours were, I told her 7:45 Am to <sup>(porter job)</sup> 2:45 pm and she said I can't come out until 3rd watch, of course that doesn't make any sense but as you can see this has gotten out of hand, mainly because I've sent a citizen's complaint to the Inspector General and the F.B.I. and I've gotten no response so I believe there not letting my legal mail out, this gives them a false sense of power/power that they abuse.

11-18-07

7:30 AM, porters let out for job, 8:20 I'm let out only and put on cleaning crevices on floor, approx 11:50 sitting in cell, Mack in tower on the intercom saying if 214 (Garcia) doesn't check in in 5 minutes we're going out to get him, at approx 4:30 Dave (porter) comes by for phone sign up, tells me Mack said not to sign me up, after working in the morning at approx. 8:50 AM I went to talk to Mack to alleviate this abuse, he says, I don't know why you would accuse me of setting you up, this is what happens because you want to be an asshole.  
11-23-07 I asked for the phone and Dave (porter) said that I need to talk to Mack first, why?, In A1A I get the phone everyday, ~~to~~ I shouldn't have to beg.



STATE OF CALIFORNIA  
**RIGHTS AND RESPONSIBILITY STATEMENT**  
 CDCR 1858 (Rev. 10/06)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

## RIGHTS AND RESPONSIBILITY STATEMENT

*The California Department of Corrections and Rehabilitation has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.*

**Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement:**

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER** [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

COMPLAINANT'S PRINTED NAME <i>Danny Garcia</i>	COMPLAINANT'S SIGNATURE <i>Danny Garcia</i>	DATE SIGNED <i>04-01-08</i>	
INMATE/PAROLEE PRINTED NAME <i>Danny Garcia</i>	INMATE/PAROLEE'S SIGNATURE <i>Danny Garcia</i>	CDC NUMBER <i>V-30568</i>	DATE SIGNED <i>04-01-08</i>
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE	DATE SIGNED	

**DISTRIBUTION:**

ORIGINAL -

Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

COPY - Complainant

INMATE/PAROLEE  
APPEAL FORM  
CDC 602 (12-87)

Location Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the support documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME

Danny R. Garcia

NUMBER

V-30568

ASSIGNMENT

AIA Unassigned

UNIT/ROOM NUMBER

D-1 #209

## A. Describe Problem

In the begining of August of 2007 I put in a 602 alleging staff misconduct and feared for my safety, nothing was done about it. On 01-17-08 I went to see a psych tech (Bonilla) and told her of my stress and fear of going out to the yard, she suggested I tell the sergeant, I said no, that I don't know who I can trust, I insisted that I wanted to talk to the captain only, she assured me I would be able to trust this sergeant (Johnson), so I did and he put me in a cage and stripped me down to my boxers and t-shirt and had me escorted in this condition to AD SEG, where I was treated like all the other inmates there for disciplinary reasons, some restrictions and restraints, this makes no sense, I had done nothing wrong, yet

If you need more space, attach one additional sheet.

over to extra sheet  
of paper →

## B. Action Requested

I want to file charges against Salinas Valley State Prison, an employee of CDC, for putting my life in danger after I came to them for help. For violating my 8th amendment rights and for discrimination. Transfer me immediately close to home (Sacramento) - (mule creek). Send me the proper documents to file a citizen's complaint with the Inspector General & F.B.I.

Inmate/Parolee Signature: Danny R. Garcia

Date Submitted: 02-19-08

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_)

Staff Response: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

## D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number: \_\_\_\_\_

Board of Control form BCC-1 to estimate claim

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

Interviewed by: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Division Head Approved: \_\_\_\_\_ Returned \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date to Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Second Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

☐ See Attached Letter

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third-level within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
 P.O. Box 942883  
 Sacramento, CA 94283-0001  
 Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_☐ See Attached Letter

Date: \_\_\_\_\_



here I am, in ad. seg. getting the same disciplinary treatment as the others here, this seem  
 bear to me that this is another form of retaliation for making allegations toward staff.

On 01-24-08 I go to committee, they decide to retain me in ad. seg. On 01-31-08 I  
 go to committee again, again they decide to retain me in ad. seg. On 02-01-08 I go before  
 sergeant Johnson who's demeanor is very irate, it seems I was wasting his time, he  
 could ask me a question, I would answer, and he would keep putting in his own words  
 while writing it down saying Garcia assumed, I said I didn't say I assumed anything  
 then said, I can see by your demeanor that you're not here to help me, he stated, no  
 I'm not, I'm only here to write down what you say, and I don't investigate C.O.'s, and  
 I said but you're not writing down exactly what I'm saying, you're putting in your own  
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 going to make sure I put you back on my yard, I said well what if something  
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 stay here in ad. seg. for a year and then I'll put you back on my yard. On 02-07-08  
 I went back to committee and they took sergeant Johnson's suggestion and ordered  
 me back to B-yard. The next day 02-08-08 I went to the program office where  
 - mmm-pamoz took me off of orientation and I left the program office and walked to  
 laundry to get my clothes and then started to walk across the field to go back to  
 the building because I knew it wasn't safe for me on the yard when an unknown  
 inmate stopped me and started saying that the reason he did was because I looked like  
 a homeboy of his and the next thing I know someone hit me from behind, apparently  
 there was four of them who all attacked me at the same time, I just remember getting  
 up off the ground and seeing blood gushing out of my head from somewhere and  
 I knew I was hurt bad, so I walked over to the program office where a W. was and  
 I yelled at him he went inside so I turned and walked to Annex where sergeant  
 Johnson and a few C.O.'s were hanging out and yelled Sergeant! he looked and  
 asked me what happened, I said what do you think, I told you I couldn't be on this yard.

So they took me to medical, checked me over, ISU officer, Lieutenant Martinez  
 came in and said he would like to talk to me later in private, I needed stitches so  
 they sent me to CTC where a doctor put in a few staples and gave me a full set



of X-Ray's to make sure nothing else was wrong. After being there for awhile they  
 decide to take me back to B-yard, now I'm scared again but when I get there  
 the yard is clear, I felt relieved, then they put me back in a small cage in annex  
 and strap me down to my boxer and leave me there for hours freezing my tail  
 off. All of this seems so wrong, I was just attacked by four inmates who I don't even  
 know, my stitches are starting to bleed, my nose is also bleeding, I ask for some  
 tissue, I have a splitting headache, I have bumps and bruises all over me and they  
 have me locked in this small cage in only my boxers. These are clearly 8th amendment  
 violations, I should be lying down somewhere recuperating. All of this could have been  
 voided if someone would have taken the first 602 back in August seriously. I noted this tragedy  
 as to happen, I gave that 602 to Lieutenant Hessler who handed to a sergeant Holland, Lt. Hess  
 told him to give it to the captain's secretary, the captain never got it (Muniz) I talked to  
 him, he stated that it was side stepped, I apologized for going to an outside agency but  
 I couldn't get ahold of him <sup>(outside agency)</sup> Inspector General he in turn apologized to me for not being  
 able to help me, this was in the month of January of 08, now it's 02-16-08 and I'm in  
 ad. seg. On 02-14-08 I went to committee, they say retain me here in ad. seg. upon  
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 to me over and over, no appliances (T.V.) to take my mind off of what happened. I try to read  
 but keep reading the same paragraph over and over, I can't concentrate, this is a bad situation  
 for me, it feels like the punishment <sup>(retaliation)</sup> hasn't stopped yet.

Action requested:  
 continued

To whom it may concern, I, Danny Daria am writing to you to let you know what's been happening, I wrote you a letter before to inform you of crimes against inmates, I had recieved your letter acknowledging that you had recieved my letter and an ISU officer did come to the building although I don't know if it was because of the letter I sent in to you. Enclosed in a copy of a 602 I've sent in to the appeals coordinator that will let you know what's happenend so you'll understand why I had come to you in the first place for help hoping to avoid this kind of tragedy. The date today is 04-06-08 and I still haven't recieved a response, I remember from a previous letter you stated for me to go through the appeals process first wick or if now you'll be able to see that that doesn't always work. Back in August the 602 I had given to Lt. Kessler who handed it to Sergeant Holland to give to the captain's secretary had never reached its destination so nothing was ever done about it until I had talked to Dr. Bonilla (Psych. Tech) on 01-17-08.

I've signed up for the law library to make some more copies of the 602 so I'm able to send you a copy and for me to keep the original wick should be sometime next week wick will also give them a few more days to respond. I went to committee after I sent in the 602 (copy) and they've had a change of heart about sending me to Mule Creek State Prison wick is where it was suggested to send me (close to home - Sacramento) at a previous committee in January, now they want to send me to James town, naturally I'm going to 602 that decision, I have not had a visit yet because it's always been to far and my Dad has a bad back, he's already had surgery but it went bad again, one of his legs goes numb, and my mom has had surgery twice on her hip's. I put in a 602 on this subject and it was sent back stating that it was incomplete, that I had to send the paper work with the 602, what paper work? were they suposed to give me some forms that state they are sending me to James Town? If so I



never recieved it so I don't know what my next move is, at the top of the 602 sent back to me someone had writin hardships wick I guess maybe they want me to go about it with that reason, again I'm not sure what to do. At this same committee I had asked them to give me the legal forms needed to file charges against the inmates who attacked me, they said no that I didn't even see them wick is true but there was a witness wick is why they've been caught and why they're in AD-SEG, I don't know if this is true but at yard here my celli had spoken to someone who just happens to be in the same building as them and the word is that nothings going to happen to them, if this is true I would still like to file charges on them, what they did to me I wouldn't want that to happen to anyone, something needs to happen to them so they'll never want to do that again to anyone, not only that but what if the same C.O's sent them after me? you think that maybe the reason nothings going to happen to them? could this have been done to me for telling on them by notifying you? I had a visit from an ISU officer here in AD-SEG and he seemed to be asking more questions about what I told you than asking about what had happened to me, I thought that was kind of odd, why were they so concerned about what I had told you? I also have enclosed copies of my package being sent back and the legal document that states I could've had it put in my personal property. At another committee they had made the decision to keep me here in AD-SEG, I had asked them to place me in T.P.U. (Temporary Placement Unit) and they said no, that reminded me of what Sergeant Johnson had said about him making sure I stay here in AD-SEG for a year, all of this seems like retaliation & discrimination, violating my 8th admendment rights by keeping me in AD-SEG where were not allowed to recieve our

packages for the first year unless it was ordered before we entered AD-SEG with of course is what I had done, I had ordered it the last week of December so I would receive it as early as possible in January, were handcuffed anytime we leave the cell even to go take a shower, the yard is a dog kennel cage, they give us a bar of soap with the diameter of a quarter ~~and~~ if we <sup>(need)</sup> want more we have to give up a shower to receive one more. The first three weeks I was in here I was sleeping on a mattress which was not a mattress, it was dark grey, no material on it, straight foam approx. 2 inches thick, maybe, and the one I had was stained a yellowish brown and smelled like urine, I covered it with a sheet but to no avail, I couldn't sleep all night, I'd wake up every night and could not go back to sleep, I have cronis for a new mattress but the G.O.'s didn't care, after I came back after the attack, medical came and brought me a new mattress, there's more but I just wanted to give you a general idea of what it's like to be in AD-SEG, these conditions and restrictions are to ~~the~~ extreme even for someone who is in here for disciplinary reasons, but to put me in here with these conditions when I'm not in here for disciplinary reasons is a violation of my rights, the package, sending me to James Town instead of Male Creek, nothing happening to the inmates who attacked me, not answering the 602 I sent in or wanting to file charges on Delinor Valley State Prison, not ~~and~~ giving me forms with one of those 602's had told me I need in order to fight the transfer to James Town, are all these bad things just coincidence? or is this what happens when we try to exert our rights? as you can see things have gotten real bad for me and I'm trying to do my best to stop it from getting worse but as you can see I need your help again and this time it's much



much worse. There are other inmates in here who have been telling <sup>me</sup> events that have happened to them and the reason they are in here (AD-SEG). There are some mini yards here that have been closed because of abuse to inmates where no one can see, no witnesses, one day I got up to use the sink and I saw two CO's escorting an inmate out of that yard, I thought it kind of strange since those yards are not to be used so when we went to yard (Dot Kenel cage) I asked him and he told me they held him while another wrapped a towel around his neck and started to choke him, there is still a lot of cleaning up to do here and to be honest I don't mind sacrificing myself for a greater good so please don't let what's happening go unseen, don't let the inmates or these CO's or this committee get away with this, I hope what has happened to me is what you or the F.I.I. has been waiting for to be able to finish cleaning up this place ~~or~~ being able to take over. (FBI)

Please send me a letter of acknowledgement and maybe some information on what to do about these different areas of which I'm having problems with, help me to alleviate these problems before they get out of hand. I would feel safer if you can send a representative to come and speak to me personally. I'm also still fighting the mutual combat decision with time constraints have been exceeded but Ass. Dept. Warden R. Brown suggests that I still try. Some things here are getting a little better, it may be because of my presence here but of course that wouldn't matter except for the fact that they know I convey with you, so please send a representative to see me. Sincerely Danny Garcia

be entertainment appliances, applies to all inmates based upon the following definition.

~~NOTE: For purposes of this article, an appliance is defined as:~~

1) Any electrical appliance (excluding prescribed medical appliances and battery rechargers) that relies on institution/facility power resources to operate.

2) Any audio/visual entertainment appliances such as radios, televisions, cassette/disk players, etc. (In Level I, Level II and women's facilities, personal audio entertainment appliances that are operated exclusively by battery power (no-adaptor or power cord) are exempt from the three-appliance limit. In Level III and Level IV facilities, all personal audio entertainment appliances are subject to the three-appliance limit, regardless of electric or battery operated power source. Televisions in all levels of housing are subject to the three-appliance limit).

3) Battery operated, non-entertainment appliances that do not rely on institution/facility power resources (Battery operated, non-entertainment appliances are not subject to the three-appliance limit).

Items shall be shipped to the inmate's respective institution/facility by the approved vendor in a factory sealed container.

It is the responsibility of the inmate and/or the third party to ensure that packages are ordered in advance to ensure adequate delivery time.

The year shall begin January 1 and end on December 31. The quarters are:

1<sup>st</sup> - January 1 through March 31.

2<sup>nd</sup> - April 1 through June 30.

3<sup>rd</sup> - July 1 through September 30.

4<sup>th</sup> - October 1 through December 31.

#### **Privilege Group A/Privilege Group B**

Inmates in Privilege Group A and B shall be allowed four packages per year (one per quarter) not to exceed 30 pounds each.

#### **Privilege Group C**

Inmates in Privilege Group C shall not be allowed an inmate package. Inmates prohibited from receiving a package resulting from recent placement into Privilege Group C, shall not be issued a package which was ordered prior to Privilege Group C placement. Disallowed packages shall be disposed of pursuant to Section 54030.12.2.

#### **Privilege Group D**

Inmates in Privilege Group D, including those inmates housed in ASU/Security Housing Unit (SHU) and Psychiatric Services Unit (PSU), shall be permitted to acquire one inmate package per year not to exceed 30 pounds each. Eligibility to acquire an inmate package commences one year after the date of Privilege Group D assignment.

Inmates in ASU/SHU/PSU may also purchase an entertainment appliance via the Special Purchase Process. Eligibility to purchase an entertainment appliance commences

Inmates prohibited from receiving a package as a result of ASU placement shall be allowed to retain the package in their stored personal property if the package was ordered prior to ASU placement and the inmate was otherwise qualified to receive it.

#### **Privilege Group U**

Inmates in Privilege Group U shall not be allowed an inmate package.

*Note:* The local Inter-Disciplinary Treatment Team (IDTT) may further restrict or allow additional authorized personal property on a case-by-case basis, above that allowed by the inmate's assigned Privilege Group.

#### **54030.9 Inmate Package Vendor Approval**

Vendors for Inmate Packages, except those vendors approved locally for special religious foods as provided for in Section 54030.7.1, must receive Department approval prior to providing services to institutions/facilities.

The Deputy Director, DA1, has the authority to establish vendor approval guidelines for Inmate Packages, and to add or remove vendors from the approved list.

Vendors must submit a completed vendor application package to the designated unit within the DA1. Requests for approval must include all additional materials and catalogs of items provided with prices. The vendor name and contact information will be provided to the institutions/facilities upon approval.

It is the intent of the Department to ensure Inmate Package Program catalog items are priced in a fair manner when compared with common retailers in major markets. Consideration for additional operating expenses shall be given to inmate package vendors due to the requirement to meet all vendor criteria (DOM 54030.9.1, Criterion Number 1).

CDCR reserves the right to withdraw any vendor approval subject to 30 calendar days written notice to the vendor. However, any agreement can be immediately terminated for cause. The term "for cause" shall mean that the vendor fails to meet any terms, conditions, and/or responsibilities of an agreement. In this instance, the agreement termination shall be effective as of the date indicated on the State's notification to the vendor.

#### **54030.9.1 Inmate Package Vendor Criteria**

Vendors submitting requests for Department approval shall meet the following minimum requirements:

1. All merchandise offered for sale by the vendor is subject to price comparison. Price comparison shall be conducted by CDC during initial vendor approval and throughout the length of any agreement or contract based upon advertised catalog prices.

Vendor prices will be compared with non-sale prices on an identical product for product basis at major nondiscount retailers in the following major California markets:

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC-1858 (2/97)

**RIGHTS AND RESPONSIBILITY STATEMENT**

*The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.*

**Pursuant to Penal Code 148.6, anyone wishing to file an allegation of misconduct by a departmental peace officer must read, sign and submit the following statement:**

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER** [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.** [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]

COMPLAINANT'S PRINTED NAME <i>Danny Garcia</i>	COMPLAINANT'S SIGNATURE <i>Danny Garcia</i>	DATE SIGNED <i>09-28-07</i>	
INMATE/PAROLEE PRINTED NAME <i>Danny Garcia</i>	INMATE/PAROLEE'S SIGNATURE <i>Danny Garcia</i>	CDC NUMBER <i>V-30568</i>	DATE SIGNED <i>09-28-07</i>
RECEIVING STAFF'S PRINTED NAME	RECEIVING STAFF'S SIGNATURE	DATE SIGNED	

**DISTRIBUTION:****ORIGINAL -**

Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

**COPY - Complainant**



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

**INMATE/PAROLEE  
APPEAL FORM**  
 CDC 802 (12/87)

Location: Institution/Parole Region

Log No.

Category

 1. \_\_\_\_\_  
 2. \_\_\_\_\_

 1. \_\_\_\_\_  
 2. \_\_\_\_\_

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME <u>Danny Garcia</u>	NUMBER <u>V-30568</u>	ASSIGNMENT	UNIT/ROOM NUMBER <u>B-5 # 214</u>
-----------------------------	--------------------------	------------	--------------------------------------

A. Describe Problem: On 08-03-07 my Celli Rodea started calling me out to fight, kept calling me names with threats, came at me wich of course left me no choice but to defend myself, he was blocking the doorway so when he came at me I pushed him all the way back and slammed him against the door so that the CO's on duty would hear and come but they did not, I finally let him go after approx 7-8 minutes thinking he might stop and help should be here by now but help did not come and he came after me again, this we fought for a long time for approx 12-13 minutes, I tried holding him down for as long as I could wich is when

If you need more space, attach one additional sheet.

B. Action Requested: Involve outside agencies for my safety to investigate allegations of me being set up by the CO's (FBI, Inspector General) suspend the CO's that left their post and failed to do their job, call CO's that were on duty in #5 building at the time of the incident) transfer to another facility for my safety.

Inmate/Parolee Signature: Danny B. Garcia

Date Submitted: 08-12-07

C. INFORMAL LEVEL Date Received:

Staff Response:

DENIED. THE CONTROL BOOTH OFFICER NOTIFIED B5 FLOOR STAFF WHO WERE LOOKING UP B2 FOR CLOW THAT HE HEARD A LOUD NOISE. APPROXIMATELY 5-MINUTES LATER AFTER THE COMPLETION OF LOOKING UP B2. WE PERFORMED A C/O MELU SECURITY CHECK & AN ALARM WAS ACTIVATED. YOUR CELLMATE WAS NOT REWORMED, HE WAS MOVED TO B2 TO SEPERATE YOU TWO.

Staff Signature:

C/O D. RAMOS

Date Returned to Inmate:

8-29-07

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature:

Date Submitted:

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number:





09-12-07 he started biting me, I couldn't take this anymore so I grabbed his hair for my safety and got off of him and pulled him with me to the door where I started kicking the door for help, I kicked over and over again, I finally let him go and he backed off to the desk and I glanced at CO Lopez in the tower who shrugged his shoulders so I kept kicking the door, I would only glance at CO Lopez to see what was taking so long and I only glanced for my safety for I didn't want to take my eyes off Rodea, approx. 3-4 times CO Lopez just shrugged his shoulders, finally after approx. 13-15 minutes CO McMillan (AKA Mack) showed up and seen that we had fought and then he finally hit the Alarm, CO McMillan stated he was in another building which was why it took him so long but shouldn't there be another CO on the floor, and CO Lopez was in here, why did it take approx. 30 minutes for help to come? This incompetence put my life at risk, I could've been seriously hurt in that amount of time.

Rodea was sentenced to an indeterminate shoe, why is he here with us level three says? I've been approached by one of his homeboys after the fight with an indirect threat and now this CO is going to make the building CO's mad at me so I fear retaliation from them or other CO's, taking appliances just to check if one owns it, cell searches which they tear up the cell, withholding packages and a lot of other 8th amendment violations I know about, I've been told I was set up by the CO's, what proof? 30 minutes to come to help and Rodea was rewarded by being put in building #2 and in the cell he had been trying to get into for approx. 9 months. So I want to involve the FBI and the Inspector General to investigate this and other atrocities I know about, from this point on I fear for my safety from the CO's and some of Rodea's ~~friends~~ friends.

Dany Garcia

V-30568

10-08-07

To whom it concerns, I Dany Garcia am writing you to inform you of crimes against inmates by CO's. I've writin a letter to you before with evidence inside, 602's that had been denied in several different areas, notes from inmates to me asking me for help with detailed descriptions of what has or is happening to them and I believe it was intercepted by the CO's here and this is why I believe this to be true, one I never got any response from you, then I was moved out of building two and into building five and everyone knows that you're not moved to five unless you've done something wrong.

When me and my cellie arrived to five we were approached by CO Statler, Why are you here!?! I don't know? what did you do wrong!?! nothing, are you having problems with an inmate, at one of the 602's!?! no, this third degree we got when we arrived prior the point that you don't come to five building unless you've done something wrong, the next day my cellie was approached by some inmates from two buildings who told him that the (D. Maldonado) said that I'll move him back in that they just wanted me out or should I stay in five building. Now he was part of the transfer (cellie) to Cochran to be put on the bus to the dayroom so I got a different cellie, Juan Rios, straight from the show, now let me get to what was in the large legal envelope I had tried to send you, I'll start with the incidents and the reargots I believe in behind all of this. An inmate was being escorted to annex by a Sgt. McVay, the inmate was handcuffed and as they passed by laundry Sgt. McVay reached behind the inmate's neck and slammed his face on the ground and it's just so happened to have been done right in front of Francis Alvar (inmate) who was working in laundry and as you can imagine seeing something like that right in front of you would scare you or anger you or both, just Mc. Alvar wrote a letter to the warden next thing you know

over

Denny Baroza

V-30568

10-08-07

Sgt Mcray and a number of CO's stormed Mr. Alias cell and pulled him out, now before that happened Mr. Alias had asked for my help with the proper authorities but after they pulled him out of his cell they threatened him, asked him if he had an out date, (yes) and told him if he wants to see it to stop telling on them, they told him they would stick a shank in his cell and charge him with it, Sgt Mcray had put his face into Mr. Alias face and told him you never tell on me, Mr. Alias was scared and came to me again and told me not to notify the authorities, not to do anything because he wanted to be able to get out of prison eventually so I did as he asked me too, but when he was transfered to C-5 I figure now they can't follow through with their threats so I put every letter he had given me, (Name of victim, threats towards him, asking for help, asking me to stop) and some other important documents and sent them to the Inspector General, next thing you know I'm moved to B-5, nothing really happens on this yard without pretty much everyone knowing, B-5, a gay guy moved in and everyone knows B-5 does not except gays, the CO's payed an inmate (his name I can get for you if you need it but you have to keep me safe) a T-6 to beat up this gay guy and yes he did it, the yard went down, I'm at the handball courts, and I see the CO's escorting the gay guy to corner, never ever seen him again, or around in B-5, I get this new cellie, (Rodea) he's trying to move in B-2 with his brother, B-2 CO's say ok and try but B-5 CO's keep stopping it, next thing I know Rodea attacking me, I restrain him both times etc. please read the 602 for detail and realize that I filing a 602 on the CO's Marmella, Ramirez, and Lopez, I'm in the program office talking to Lieutenant Hessler who I hand the 602 to and he hands it to Sgts Holland and Messler tells Holland to give it to the Captains secretary, but as you can see there's no Captains signature on it, no Lieutenants or even a Sergeant's signature on it, somehow it made it all the way



Denny Garcia

V-30568

10-08-07

back to C. Ramon who happens to be implicated in these crimes who naturally denies it but also admits in being in B-2 the days of the incident who tries lying about helping B-2 to lock up but there was no lockdown that day and it seems only on lockdown days do they go to other buildings to help in locking up so what were they doing, talking about making the arrangements to move Radea to where he had been trying to move too while he did their dirty work all for Sgt. McKay, these CO's had told Radea to do it because of my charges because after he was moved to B-2 a number of inmates (friend & foe) had told me they heard alot of bad things about me and of course it came from Radea who was informed by the CO's who have no business in my file or telling inmates why I'm here, now I get alot of negativity and even two threats, who do I tell? the CO's, yeah right, that's going to do me good so now it's unsafe for me to be here because the CO's are after me and their using the inmates to do their dirty work so there's no place for me to go for help except to notify the proper authorities and hope that there's better get through to someone before something happens to me again and <sup>(next)</sup> time it could be worse.

I was found guilty for mutual combat which is wrong, I restrained <sup>him</sup> beat as I could for as long as I could until help could come, of course I didn't know at the time I was being set up and there was no help available, but still it was not mutual combat, these people (CO's) are out to get me any way they can because I dared to stand up for our rights please come and help as soon as possible. There are only a few crimes being committed against inmates and you can see how you're being notified of these crimes, they are threats, stop mail, pay inmates to go after you Dad knows what else and how long this has been going on. Notifying Inspector General, F.B.I., Internal Affairs, and maybe the Warden (Evans). Sincerely, Denny Garcia V-30568 10-08-07



COPY INFORMATION ONTO PAGE 1 AFT. MENTAL HEALTH EVALUATION IS COMPL.

Robert Landry, Ph.D.

Institution: <u>MCS</u>	Clinician: <u>Staff Psychologist</u>	Date: <u>5-22-08</u>
<b>I. PATIENT INFORMATION / PRESENTING PROBLEM / SUMMARY OF EVALUATION</b>		
A. Current Setting: <input checked="" type="checkbox"/> GP <input type="checkbox"/> ASU <input type="checkbox"/> SHU <input type="checkbox"/> RC <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> PSU <input type="checkbox"/> MHCB <input type="checkbox"/> Other: _____		
Classification Score: _____ Data Source(s) for this Evaluation: <input checked="" type="checkbox"/> Interview <input checked="" type="checkbox"/> C-File <input type="checkbox"/> UHR <input type="checkbox"/> Other: _____		
I/M Ethnicity: <u>Hispanic</u>	Non-English Language: _____	Level: <u>I / II / III / IV</u> <u>46</u>
CDCR Release Date: <u>1. Per</u>	Inmate Interviewed On: <u>5-12-08</u>	Level of Cooperation: _____
Consent for Release of Information on File: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Records Requested <input type="checkbox"/> Records obtained from: _____ Date: _____		
B. Reason for Evaluation: <u>Intake</u>		
<input type="checkbox"/> MH Screening Indicates Possible: <input type="checkbox"/> Thought Disorder <input type="checkbox"/> Mood Disorder <input type="checkbox"/> Suicidality <input type="checkbox"/> Other: _____		
<input type="checkbox"/> Staff Referral Indicates: <input type="checkbox"/> MH History <input type="checkbox"/> Medication Review <input type="checkbox"/> Danger to Self <input type="checkbox"/> Danger to Others <input type="checkbox"/> Other: _____		
<input type="checkbox"/> Patient Self Referral Describe: _____		
C. Current Diagnosis Axis I: <u>311.0 Depressive Disorder not</u>		
Axis II: <u>301.9 Narcissistic PD</u>		
Axis III: _____		
Axis V: Current GAF: <u>68</u>	AIMS Score: _____	AIMS Date: _____ <input type="checkbox"/> Keyhea Keyhea Expires: _____
D. Behavioral Alert: <input type="checkbox"/> Suicidal <input type="checkbox"/> Self Injurious <input type="checkbox"/> Assaultive <input type="checkbox"/> Gravely Disabled <input type="checkbox"/> Other: _____		
Other Relevant Information: _____		DD Category: _____
E. List Medications, Dose, Route, Frequency: <u>Bendamy,</u>	Target Symptoms, Compliance, Duration: _____	
Allergies: _____		
F. Clinical Summary and Recommendation: _____		
G. <input type="checkbox"/> New Level of Care: <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> MHCB DMH: <input type="checkbox"/> APP <input type="checkbox"/> ICF <input type="checkbox"/> DTP		
H. Parole Date: _____ Region/Office: _____		
Parole Agent: _____	Phone Number: _____	Fax Number: _____
I. Evaluation Follow Up Time Frame: _____ Medication Follow-up Time Frame: _____		

**MENTAL HEALTH EVALUATION**  
**CDCR 7386 (06/06)**  
 Confidential Client / Patient Information  
 Page 1 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcia Danny

V30968

2-13-63

Robert Landry, Ph.D.  
Staff Psychologist

Institution: <u>ICGP</u>	Clinician: <u>Robert Landry, Ph.D.</u>	Date: <u>5-22-08</u>
<b>II. DEVELOPMENTAL AND SOCIAL HISTORY</b>		
A. Family of Origin: Raised by: <u>Parents Divorced age 7, split between Parents</u> Siblings: <u>2 brothers (12, -5) sister 1</u>		
Family Problems: <input type="checkbox"/> Mental Health <input type="checkbox"/> Alcohol <input type="checkbox"/> Drug <input type="checkbox"/> Criminal		
Describe: <u>Poor growing up in the country. Parents did field work (drove tractors) mother worked for state.</u>		
Childhood Trauma: <input checked="" type="checkbox"/> Denied; No evidence		
Describe: _____		
B. Education: <input type="checkbox"/> Standard Highest Grade Completed: <u>12<sup>th</sup> grade did not graduate</u>		
<input type="checkbox"/> Behavior Problems <input type="checkbox"/> Special Education/Learning Disability <input type="checkbox"/> Developmental Disability		
Comments: <u>School disrupted by transitions between parents residences. No GED good student Electronics school graduate.</u>		
C. Marital: S / M / D / W _____ Number of Marriages: <u>1</u> Longest Marriage: <u>11 years</u> Children: _____ F <u>4</u> M		
Comments: <u>24, 23, 22, 17. All oldest attended college.</u>		
D. Work History: <input checked="" type="checkbox"/> Always <input type="checkbox"/> Periodic <input type="checkbox"/> Rarely Veteran: <input type="checkbox"/> Reported <input type="checkbox"/> Verified		
Income Source: <input type="checkbox"/> Work <input type="checkbox"/> Disability <input type="checkbox"/> SSI <input type="checkbox"/> Homeless Issues Adult Years Employed: _____		
Occupation(s): <u>Burglary alarm installation.</u> Longest Period of Employment: <u>13 years</u>		
Comments: _____		
E. Criminal History: <input type="checkbox"/> No Priors <input type="checkbox"/> Juvenile History <input type="checkbox"/> Gang Affiliation <input type="checkbox"/> Adult Arrests/Convictions		
Describe: <u>Minor DV arrest no conviction.</u> <u>Molested 11 year old daughter of GF at 1 year 21</u>		
<u>Molested 3 year old girl 2001</u>		
Current Offense(s): <u>288, SMY in county</u> <u>Molested step sister 1981 when he was 18</u>		
<u>she was 16 presumed when she was 13</u>		
F. History of Violence: <input type="checkbox"/> None Describe: <u>DV</u>		
G. Adjustment to Incarceration: <input checked="" type="checkbox"/> Adequate <input type="checkbox"/> Poor <input type="checkbox"/> 115's <input type="checkbox"/> SHU Term <input type="checkbox"/> Gangs <input type="checkbox"/> Safety Concerns		
Describe: _____		

**MENTAL HEALTH EVALUATION**  
**CDCR 7386 (06/06)**Confidential Client / Patient Information  
Page 3 of 14

Inmate's Name (Last, First, MI), CDCR Number, DOB

Garcera Dunny

V30568

2-13-63

☒ Add to Top as Update or Correction: Top Form \_\_\_\_, Regarding Page # \_\_\_\_, Date: \_\_/\_\_/\_\_ completed.

CDC #                      DOB    /    /

IV. CURRENT MENTAL STATUS: ("Within- Normal-Limits" = WNL; Describe Deviations)		Critical <input checked="" type="checkbox"/>
A. Appearance..... <input checked="" type="checkbox"/> WNL	<input type="checkbox"/>	
B. Behavior..... <input checked="" type="checkbox"/> WNL	Speech <input checked="" type="checkbox"/> WNL	<input type="checkbox"/>
C. Mood ..... <input type="checkbox"/> WNL <i>expressed summation</i>		
1. Sleep..... <input type="checkbox"/> WNL <i>OK when on antidepressant Thinking</i>		
2. Appetite..... <input type="checkbox"/> WNL <i>OK mild wt loss ~ 5# per 1m &amp; appetite</i>		
3. Affect ..... <input checked="" type="checkbox"/> WNL		
D. Cognition:		
1. Fund of Information..... <input checked="" type="checkbox"/> WNL		
2. Intellectual Functioning... <input checked="" type="checkbox"/> WNL		
3. Organization of Thought... <input checked="" type="checkbox"/> WNL		
4. Association of Thought.... <input checked="" type="checkbox"/> WNL		
5. Reality Contact..... <input checked="" type="checkbox"/> WNL		
6 Thought Quality..... <input type="checkbox"/> WNL <i>OK &amp; instruction</i>		
E. Perception Disturbance		
(Hallucination) ..... <input checked="" type="checkbox"/> None <i>perinmate</i>		
F. Thought Content		
(Delusions, Preoccupation) .. <input type="checkbox"/> None <i>"exp more clear really realize what a messed up world is like"</i>		
G. Sensorium (Orientation, Memory, Attention, Concentration)..... <input type="checkbox"/> WNL <i>alert &amp; oriented x 4 2 of 3 words after 5 min</i>		
H. Insight and Judgment ..... <input type="checkbox"/> WNL <i>inmate views that address on plotting against him / flying</i>		
I. Interview Attitude..... <input type="checkbox"/> WNL <i>needing to have his views understood &amp; expressed. He is not hostile</i>		
J. Current Suicidality..... <input type="checkbox"/> None <i>states some ideations but to clear esp. clear intent But CO protect other</i>		
K. Current Violence Risk..... <input checked="" type="checkbox"/> None		
Discussion: <i>Presently on antidepressant 2° depression arising from the sentence that this is first time he has received MH services. Significant consequences in this statement. Tends to minimize &amp; minimize</i>		
Is Substance Abuse an issue? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <i>blow. Likely Significant characterize</i>		

<b>MENTAL HEALTH ASSESSMENT:</b> <b>RECEPTION CENTER</b> <b>MENTAL HEALTH EVALUATION</b>  MH 7 [3/22/96]  Page 2 of 3  Confidential Client/Patient Information See W & I Code, Section 5328	<b>LEVEL OF CARE</b>  CCMS Inpatient  (Outpatient)	Last Name: <u>GARCIA</u> First Name: <u>DANNIE</u> MI: <u>Corporal</u>  CDC # <u>1-30568</u> DOB <u>2/13/63</u>  <i>no records available in mid records mail look note code.</i>
--	---	--



V. DSM IV Numerical - (Diagnosis, including provisional diagnosis and degree of uncertainty.)		
Axis I.	# 311	depressive disorder NOS
	#	
	#	
Axis II.	# 749.9	diagnosed bipolar
	#	
Axis III.	refer to med records for sleepers	
Axis IV.	(current) manic - life sentence	
VI. NEED FOR TREATMENT/LEVEL OF CARE:		
Axis V.	GAF= 60	Score based on: clinical interview
Treatment Motivation: fair		
<input type="checkbox"/> DOES NOT MEET CRITERIA FOR INCLUSION IN THE MH TREATMENT POPULATION		<input checked="" type="checkbox"/> MEETS CRITERIA FOR INCLUSION IN THE MH TREATMENT POPULATION (SEE LOC BELOW)
Evaluations:	<input type="checkbox"/> Crisis Eval. <input type="checkbox"/> Medication Eval. <input type="checkbox"/> Psychological Testing <input type="checkbox"/> Other, describe below	
on 4/10/04 → psych eval		
Recommended CDC Setting: <input type="checkbox"/> GP <input checked="" type="checkbox"/> CCCMS <input type="checkbox"/> EOP <input type="checkbox"/> MHCB <input type="checkbox"/> DMH DDPS# _____		
Rationale: least restrictive setting to address mental health problems		
Initial Treatment Plan (Include medication(s) target symptom & dose prescribed):		
psychiatry consult to address & issues & med records		
can to case manager monitor mood		
encourage adaptive coping & avoid to clarify		
Evaluation Follow up: (Who and When)	can x 2 weeks	
Medication Follow up: (Who and When)	to be did	
Reception Center Mental Health Evaluation Completed by:		Date: 5/19/04
Clinician Name:	J. Miller, Ph.D. Staff Psychologist	Clinician Title:
Clinician Signature:	J. Miller, Ph.D.	Telephone: (209) 835-4141 Ext.: 6412

<b>MENTAL HEALTH ASSESSMENT:</b> <b>RECEPTION CENTER</b> <b>MENTAL HEALTH EVALUATION</b>  MH 7 [3/22/96]  Page 3 of 3  Confidential Client/Patient Information See W & I Code, Section 5328	<b>LEVEL OF CARE</b>  CCMS  Inpatient  Outpatient	Last Name: Garcia First Name: Danny MI:
CDC # 130568 DOB 2-13-63		

## Symptom Checklist

DATE: 05-22-08 # C-13 Cell: 231  
 Name: Garcia Danny  
 Last First

Symptom Checklist - Are you seeking services for any of the following reasons:

- Buzzing in Head*
- |  |   |   |   |
|--|---|---|---|
| <input checked="" type="checkbox"/> Headache | <input type="checkbox"/> Stomach trouble                  | <input type="checkbox"/> Flashbacks                                     | <input type="checkbox"/> Can't make decisions                 |
| <input type="checkbox"/> Dizziness           | <input type="checkbox"/> Trouble sleeping                 | <input type="checkbox"/> Isolating yourself                             | <input type="checkbox"/> Thoughts of suicide                  |
| <input type="checkbox"/> Nightmares          | <input type="checkbox"/> Ready to explode                 | <input type="checkbox"/> Lack of motivation                             | <input type="checkbox"/> Self-inflicted wounds                |
| <input type="checkbox"/> Weight change       | <input type="checkbox"/> Panicky feelings                 | <input type="checkbox"/> Can't get interested                           | <input type="checkbox"/> Nervous around strangers             |
| <input type="checkbox"/> Bowel trouble       | <input type="checkbox"/> Tremors or tics                  | <input type="checkbox"/> Can't make friends                             | <input checked="" type="checkbox"/> Fear things you shouldn't |
| <input type="checkbox"/> Choking feeling     | <input type="checkbox"/> Trouble concentrating            | <input type="checkbox"/> Can't keep friends                             | <input checked="" type="checkbox"/> Loss/increase of appetite |
| <input type="checkbox"/> Blurred vision      | <input type="checkbox"/> Strange experiences              | <input type="checkbox"/> Sexual problems                                | <input type="checkbox"/> Conflict within family               |
| <input type="checkbox"/> Drug cravings       | <input checked="" type="checkbox"/> Distrustful of others | <input type="checkbox"/> Feel like crying                               | <input type="checkbox"/> Trouble with memory                  |
| <input type="checkbox"/> Muscular aches      | <input type="checkbox"/> Fear of losing control           | <input type="checkbox"/> Mind racing                                    | <input type="checkbox"/> Thoughts of harming others           |
| <input type="checkbox"/> Feel worthless      | <input type="checkbox"/> Problems with anger              | <input type="checkbox"/> Intrusive or senseless thoughts or impulses    |   |
| <input type="checkbox"/> Feeling tense       | <input type="checkbox"/> Always tired                     | <input type="checkbox"/> Excessive checking, list making, washing, etc. |   |
| <input type="checkbox"/> Hearing voices      | <input checked="" type="checkbox"/> Feeling depressed     | <input type="checkbox"/> Bad smells others don't smell                  |   |
| <input type="checkbox"/> Can't keep jobs     | <input type="checkbox"/> Unusual thoughts                 | <input type="checkbox"/> Psych meds aren't working right                |   |

Entered DVI on 04-14-04, on 05-24-04 I was threatened by IGI and then Placed in K-wing, Mainline AD-SEG, stayed approx. 1 week before being returned to east hall. Transferred to pleasant valley in the middle of July of 04, A-yard orientation entered AD-SEG approx. 1 week later because of enemy concerns, I was being moved to D-yard for my safety, seen committee approx. a week later for placement, I should've been put on the yard instead chief dept. warden Malfie called me a liar about what had happened at DVI and had his staff place me in AD-SEG, the building is split in half, 101 to 125 ~~orientation~~ and ~~126 to 150~~ 201 to 225 is AD-SEG, 126 to 150 and 226 to 250 is orientation, when I was first Placed in D-4 (AD-SEG) I was in the orientation side which was correct but after committee, Ass. Dep. warden Malfie discriminated against me and had his staff put me in the AD-SEG side. I had lost 17 lbs. in the first 28 days because of stress of being mistreated. Orientation, which is what I should've been doesn't get handcuffed to go to shower or anywhere else and can receive appliances, I was handcuffed and did not receive any personal property, AD-SEG gets yard, small enclosed cement area, I didn't get yard either, so what was I, orientation or AD-SEG and why. An inmate had been observing that inmates were coming into the building and leaving to D-yard and had mentioned to me that I should've gone out to regular yard (D-yard) before them and told me they were messing with me and explained to me about the title 15 and how to fill out a 602, so I did and the very next day Co. Mendenhall (Personal Property officer) came to me and apologized to me

and stated that my name must have slipped through the cracks and gave me my personal property, the same day sergeant Scott came to me and apologized to me stating that my name was misplaced and that she will get me out as soon as they send my crono here that it's in the program office, she said maybe a few more days, I said why don't you just walk over there and get it, she said it doesn't work that way. I was finally put in D-yard 5 building, orientation again, I was given a slip stating no more than 10 days on orientation that I'll see committee in that time, 16 days I was in orientation, I was told by inmate clerk that my name was switched with a Garcia on C-yard, that's a mainline yard not an SNY yard, I don't see how that could've happened. I was harrassed by G.O. Gonzales in 3 building on D-yard, refer to documents pertaining to 602 on this matter. I was transferred to Salinas Valley in October of 06 with a promise of better program and vocation, another lie just to get inmates to transfer so they can get rid of the extra bunks inside of the building dayrooms wich they are shuffling around to other facilities.

Chief Dep. Ass. warden Malfie

C.O. Hoffman (Tower)

Sergeant Scott

P. Mendenhall (Property officer)

Counselor Stout

Dr. Mullan (psyc)

Dr. Martin (MD)



CDC 128-0 (Rev. 12/02)

Name \_\_\_\_\_ Number # \_\_\_\_\_  
 I, the undersigned inmate, hereby acknowledge receipt of the following document and item:

- ☐ **K-WING INFORMATION PACKET**  
 Containing visiting and law library  
 Information (CDC 193 and law book request)

\_\_\_\_\_  
 Inmates Signature \_\_\_\_\_ Date \_\_\_\_\_ cc: Original to C-File  
 Copy to 114-A File  
 Copy to Inmate

\_\_\_\_\_  
 Staff Signature \_\_\_\_\_ Date \_\_\_\_\_

Date: \_\_\_\_\_ **DEUEL VOCATIONAL INSTITUTION GENERAL CHRONO**  
 (CDC 128-B)

Name \_\_\_\_\_ Number # \_\_\_\_\_

1. Subject was placed in Administrative Segregation on \_\_\_\_\_ in the following status:  
 Date \_\_\_\_\_

- ☒ Single Celled ☐ Involuntary Double Celled

Ad/Seg placement ordered by \_\_\_\_\_ (Print Name)

If Double Celled, Double Celling authorized by \_\_\_\_\_

2. Subject was involuntarily Double Celled for a total of \_\_\_\_\_ days (above lockup).

On \_\_\_\_\_ (date) subjects housing status changed to the following:

- ☐ Voluntary Double Celled ☐ Released to General Population  
☐ Single Celled ☐ Transferred \_\_\_\_\_ (Institution)

3. In response to the subjects Revocation Request to be Double Celled, he was Single Celled on  
 Date \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

I, Inmate \_\_\_\_\_ prefer to be on yard group \_\_\_\_\_ while in Administrative Segregation.

Name and Number

I understand that this is *pending the review* and approval of I.C.C. and may be changed by I.C.C.

Name	Number	Staff Witness, Signature
Controlled Compatible	Reintegrated Mixed	Reintegrated Mixed
Group I	Group II	Group III
Whites	Nonaffiliated	Walk Alone Group
Others		Northern Mexicans
Southern Mexicans		Blacks
		WALK ALONE
		Own Request

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU  
CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME <b>GARCIA</b>	CDC NUMBER <b>V-30568</b>
<b>REASON(S) FOR PLACEMENT (PART A)</b>	

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On Monday, May 24, 2004, you informed supervising staff that an enemy situation has developed in East Hall, Special Processing Unit. You claim that an inmate in East Hall is attempting to pressure you out of your medications. You request to be moved from the Special Processing Unit based on this situation. Your continued presence in this program would pose a threat to the safety and security of the institution. Per the aforementioned you are being placed in AD/SEG pending review/evaluation of case factors.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		<input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /	
DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
INMATE REFUSED TO SIGN		INMATE SIGNATURE	CDC NUMBER

<b>ADMINISTRATIVE REVIEW (PART B)</b> <i>The following to be completed during the initial administrative review by Captain or higher by the first working day following placement</i>			
<b>STAFF ASSISTANT (SA)</b>		<b>INVESTIGATIVE EMPLOYEE (IE)</b>	
STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<b>IS THIS INMATE:</b> LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES <input type="checkbox"/> NOT ASSIGNED Any "NO" requires SA assignment		EVIDENCE COLLECTION BY IE <u>UNNECESSARY</u> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES <input type="checkbox"/> NOT ASSIGNED Any "NO" may require IE assignment	

<b>INMATE WAIVERS</b>	
<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE DATE

<b>WITNESSES REQUESTED FOR HEARING</b>			
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER

**DECISION:** ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC  
REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

DISTRIBUTION:  
 WHITE - CENTRAL FILE  
 BLUE - INMATE (2ND COPY)  
 GREEN - ASU  
 CANARY - WARDEN  
 PINK - HEALTH CARE MGR  
 GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME **GARCIA** CDC NUMBER **V-30568**

**REASON(S) FOR PLACEMENT (PART A)**

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

You arrived at D.V.I. on Wednesday April 14, 2004, from Butte County, as a N/C.  
 During your initial interview, you requested protective housing due to your commitment offense. Per the aforementioned, your presence in general population would present a threat to the safety and security of this institution. You are housed in Administrative Segregation pending an administrative review of your case factors.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT	SEGREGATION AUTHORITY'S PRINTED NAME	SIGNATURE	TITLE
DATE NOTICE SERVED	TIME SERVED	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE	SIGNATURE
			STAFF'S TITLE

☐ INMATE REFUSED TO SIGN INMATE SIGNATURE CDC NUMBER

**ADMINISTRATIVE REVIEW (PART B)**

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

**STAFF ASSISTANT (SA)**

**INVESTIGATIVE EMPLOYEE (IE)**

STAFF ASSISTANT'S NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
------------------------	-------	-------------------------------	-------

**IS THIS INMATE:**

LITERATE?	<input type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES <input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES <input type="checkbox"/> NO		

☒ NOT ASSIGNED

Any "NO" requires SA assignment

☐ NOT ASSIGNED

Any "NO" may require IE assignment

**INMATE WAIVERS**

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME  
☒ NO WITNESSES REQUESTED BY INMATE INMATE SIGNATURE DATE

**WITNESSES REQUESTED FOR HEARING**

WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER
WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER

**DECISION:** ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC  
 REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)	CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)			DATE OF REVIEW

## NOTIFICATION OF DIAGNOSTIC TEST RESULTS

NAME <i>Marcia</i>	CDC NUMBER <i>V30568</i>
INSTITUTION <i>PVSP</i>	HOUSING <i>D1-115L</i>
TYPE OF TEST <i>Chest XRay</i>	DATE OF TEST <i>9-22-5</i>

YOUR TEST RESULTS HAVE BEEN EVALUATED BY A PHYSICIAN AND THE  
FOLLOWING HAS BEEN DETERMINED:

- ☐ Your test results are essentially within normal limits or are unchanged and no physician follow up is required.
- ☒ You are being scheduled for a follow up medical appointment. You will be receiving a ducat indicating your appointment time.
- ☐ A repeat test will be ordered. You will be ducated for this test.
- ☐ A chronic care appointment has been scheduled for you. You will be receiving a ducat indicating your appointment time.

*CP/Kushner*

NAME / TITLE

*CP/Kushner*

PHYSICIAN SIGNATURE

*10/3/5*

DATE

ORIGINAL - File in UHR

CANARY - Scheduler

PINK - Patient



**DIVISION OF ADULT INSTITUTIONS  
PLEASANT VALLEY STATE PRISON**

P. O. BOX 8500  
COALINGA, CA 93210



July 28, 2005

**CONFIDENTIAL**

Inmate **Garcia**  
CDC **V30568**  
Pleasant Valley State Prison  
P.O. Box 8500  
Coalinga, CA 93210

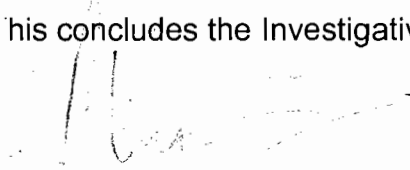
Inmate Garcia:

STAFF COMPLAINT LOG NO: **05-01527**

The Pleasant Valley State Prison Investigative Services Unit (ISU) has completed its investigation of your allegations. The findings of your allegations are as follows:

1. The investigation disclosed sufficient information to support a finding of:  
**Not Sustained.**

This concludes the Investigative Services Unit's interest in this matter.

  
L. FISHER, JR.  
Investigative Lieutenant  
Investigative Services Unit  
Pleasant Valley State Prison

cc: Investigative Case File  
Appeals

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

CDC 1858 (2/97)

## RIGHTS AND RESPONSIBILITY STATEMENT

The California Department of Corrections has added departmental language (shown inside brackets, in non-boldface type) for clarification purposes.

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER** [this includes a departmental peace officer] **FOR ANY IMPROPER POLICE** [or peace] **OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS'** [or inmates'/parolees'] **COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN** [or inmate/parolee] **COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.** [An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false, may be issued a serious disciplinary rule violation, in addition to being prosecuted on a misdemeanor charge.]

COMPLAINANT'S PRINTED NAME <b>M. Gonzalez</b>	COMPLAINANT'S SIGNATURE <i>M. Gonzalez</i>	DATE SIGNED <b>8/17/05</b>
INMATE/PAROLEE PRINTED NAME <b>Danny R. Garcia</b>	INMATE/PAROLEE'S SIGNATURE <i>Danny R. Garcia</i>	CDC NUMBER <b>V-30568</b>
RECEIVING STAFF'S PRINTED NAME <b>K. Scott Sgt</b>	RECEIVING STAFF'S SIGNATURE <i>K. Scott</i>	DATE SIGNED <b>8-17-05</b>

## DISTRIBUTION:

ORIGINAL -

Public - Institution Head/Parole Administrator

Inmate/Parolee - Attach to CDC form 602

Employee - Institution Head/Parole Administrator

COPY - Complainant

## INMATE PROPERTY INVENTORY

CDC 1003 (7/87)

INMATE'S NAME: <b>Garcia</b>		CDC NUMBER: <b>V-30568</b>	INSTITUTION: <b>PosP</b>	QUAD: <b>A1</b>	ROOM NUMBER: <b>120</b>	DATE: <b>7-21-04</b>
PROPERTY INVENTORIED BY: <b>% P. Arredondo F. Zamora</b>		TITLE: <b>%</b>	REASON FOR INVENTORY: <b>Ad-Seg Placement</b>			

<b>CANTEEN ITEMS</b> <input checked="" type="checkbox"/> DEODERANT - 1 HAIR: <input type="checkbox"/> GREASE <input type="checkbox"/> SHAMPOO <input type="checkbox"/> PERM KIT LOTION: <input type="checkbox"/> TANNING <input type="checkbox"/> HANO <input type="checkbox"/> TALC POWDER: <input type="checkbox"/> BLADES RAZOR: <input type="checkbox"/> SHAVING CREAM <input type="checkbox"/> AFTER SHAVE <input type="checkbox"/> SHOE POLISH SOAP: <input checked="" type="checkbox"/> BARS - 2 <input type="checkbox"/> LIQUID <input type="checkbox"/> SOAP DISH <input type="checkbox"/> MOUTHWASH TEETH: <input checked="" type="checkbox"/> PASTE - 2 <input type="checkbox"/> BRUSH <input type="checkbox"/> HOLDER <input type="checkbox"/> O-CLEAN  <b>FOOD ITEMS</b> CANDIES: <input type="checkbox"/> BAGS <input type="checkbox"/> BARS <input type="checkbox"/> CANNED MEATS <input type="checkbox"/> VELVEETA CHEESE: <input type="checkbox"/> SPREAD <input type="checkbox"/> CRACKERS - 1 <input type="checkbox"/> CHIPS <input type="checkbox"/> COCOA <input checked="" type="checkbox"/> COFFEE <input type="checkbox"/> PASTRIES <input checked="" type="checkbox"/> COOKIES <input type="checkbox"/> PEPPERS <input checked="" type="checkbox"/> HOTSAUCE - 1 <input type="checkbox"/> SOUPS - 5 <input type="checkbox"/> INSTANT DRINKS <input type="checkbox"/> HONEY <input type="checkbox"/> JAM/JELLY <input type="checkbox"/> NUTS <input type="checkbox"/> PEANUT BUTTER <input type="checkbox"/> PORK RINDS <input type="checkbox"/> POPCORN <input type="checkbox"/> INSTANT Creamer <input type="checkbox"/> SUGAR CUBES <input type="checkbox"/> PROTEIN TEA: <input type="checkbox"/> BAGS <input type="checkbox"/> VITAMINS	<b>CLOTHING</b> <input type="checkbox"/> BANDANAS <input type="checkbox"/> HEADBANDS <input type="checkbox"/> BELT <input type="checkbox"/> BUCKLE CAPS: <input type="checkbox"/> B/BALL <input type="checkbox"/> W/CAP <input type="checkbox"/> VIS <input type="checkbox"/> JACKETS <input type="checkbox"/> ROBES <input type="checkbox"/> PANTS <input type="checkbox"/> DRESS SHIRT <input type="checkbox"/> PAJAMAS <input type="checkbox"/> COLORED <input type="checkbox"/> RUG <input type="checkbox"/> SANDLES SHIRTS: <input type="checkbox"/> TANK TOP <input type="checkbox"/> TENNIS T-SHIRTS: <input type="checkbox"/> WHITE SHOES: <input type="checkbox"/> DRESS SHOES <input type="checkbox"/> BOOTS <input type="checkbox"/> ATHLETIC <input checked="" type="checkbox"/> THONGS 1 SHORTS: <input type="checkbox"/> UNDER <input type="checkbox"/> SWEATER <input type="checkbox"/> SWEATPANTS <input type="checkbox"/> SWEATSHIRT <input type="checkbox"/> THERMO TOP <input type="checkbox"/> THERMO PANTS	<b>NON-EXPEND ITEMS</b> <input type="checkbox"/> A/C ADAPTER Make: _____ SR/N: _____ <input type="checkbox"/> CALCULATOR Make: _____ SR/N: _____ <input type="checkbox"/> CASSETTE/8-TRACK Make: _____ SR/N: _____ <input type="checkbox"/> CLOCK <input type="checkbox"/> ELECTRIC RAZOR Make: _____ SR/N: _____ <input type="checkbox"/> HEADPHONES Make: _____ SR/N: _____ <input type="checkbox"/> LAMP Make: _____ SR/N: _____ <input type="checkbox"/> MUSICAL INSTRUMENT Type: _____ Model: _____ SR/N: _____ <input type="checkbox"/> RELIGIOUS MEDAL Model: <input type="checkbox"/> GOLD COLOR <input type="checkbox"/> SILVER COLOR CHAIN: <input type="checkbox"/> GOLD COLOR <input type="checkbox"/> SILVER COLOR <input type="checkbox"/> RECORD PLAYER Make: _____ SR/N: _____ <b>RADIO</b> <input type="checkbox"/> AM/FM <input type="checkbox"/> CLOCK <input type="checkbox"/> CASSETTE <input type="checkbox"/> 8-TRACK Make: _____ SR/N: _____ <b>TELEVISION</b> <input type="checkbox"/> BLACK & WHITE <input type="checkbox"/> COLOR <input type="checkbox"/> TV & RADIO COMBINATION Make: _____ SR/N: _____ <input type="checkbox"/> TELEVISION TESTED <input type="checkbox"/> NOT WORKING <input type="checkbox"/> TV WORKS <input type="checkbox"/> TYPEWRITER Make: _____ SR/N: _____ <input type="checkbox"/> RING <input type="checkbox"/> GOLD <input type="checkbox"/> SILVER <input type="checkbox"/> WATCH <input type="checkbox"/> WRIST <input type="checkbox"/> POCKET Make: _____ Color: <input type="checkbox"/> GOLD <input type="checkbox"/> SILVER
--	--	--

<b>PERSONAL PROPERTY</b> <input type="checkbox"/> ADDRESS BOOK <input type="checkbox"/> BATTERIES: SIZE: _____ <input type="checkbox"/> BANDERS BOOKS: (see below) <input type="checkbox"/> SOFTBACKS <input type="checkbox"/> MAGAZINES <input type="checkbox"/> HARBACKS BRUSH: <input type="checkbox"/> HAIR <input type="checkbox"/> SHDE CLIPPERS: <input checked="" type="checkbox"/> NAIL - 1 <input type="checkbox"/> TOE COMBS: <input type="checkbox"/> AFRO <input checked="" type="checkbox"/> REGULAR - 1 GLASSES: <input type="checkbox"/> SUN <input type="checkbox"/> RX <input type="checkbox"/> LEGAL MATERIALS <input checked="" type="checkbox"/> PERSONAL PAPERS - <input checked="" type="checkbox"/> LETTERS <input type="checkbox"/> MIRROR: CONDITION <input checked="" type="checkbox"/> PENS 2 <input type="checkbox"/> PENCILS PHOTOS: <input type="checkbox"/> ALBUM <input type="checkbox"/> LOOSE <input checked="" type="checkbox"/> ENVELOPES - 50 <input type="checkbox"/> STAMPS <input type="checkbox"/> SEWING KIT <input type="checkbox"/> STATIONERY <input type="checkbox"/> TABLETS <input type="checkbox"/> TUMBLER <input type="checkbox"/> CUP <input checked="" type="checkbox"/> BOWL - 2 <input type="checkbox"/> TUB <input type="checkbox"/> WALLET TAPES/RECORDS: Total of 12 or less <input type="checkbox"/> CASSETTE TAPES <input type="checkbox"/> EIGHT TRACK TAPES <input type="checkbox"/> RECORDS - 45's <input type="checkbox"/> RECORDS - LP's	<b>MAIL OUTS:</b> PILLS: 4 Nifedipine 60mg 30 Nifedipine 23 Nifedipine 29 HYDROchlorothiazide 23 Hydrochlorothiazide  <b>CONFISCATED ITEMS:</b>
--	--

BELOW TO BE SIGNED UPON RETURN OF PROPERTY TO INMATE:

The above listed items constitute all my personal property.

INMATE'S SIGNATURE:

*Dany R Garcia*

DATE:

*7-21-04*

I have received all the above listed personal property or have noted any discrepancies below:

INMATE'S SIGNATURE:

DATE:

RECEIVED IN R&amp;R BY:

INST.

DATE:

INSTITUTION

QUAD

ROOM NUMBER

DIST: Original to R&amp;R

Copy to Inventory Officer

Copy to Inmate

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU  
CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

FROM: AFB1-120U TO: AFB4-2021 <sup>230L</sup>

INMATE'S NAME <b>GARCIA</b>	CDC NUMBER <b>V-30568</b>
<b>REASON(S) FOR PLACEMENT (PART A)</b>	

- ☒ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS.  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On Wednesday, July 21, 2004, at approximately 2000 hours, you, Inmate GARCIA, V-30568, AFB1-120U, were interviewed and stated that you had Enemy Concerns on A-Yard. You stated that you and your Enemy, listed on your G-File, could not Program together on the same Facility, and that signing a Compatibility Chrono was not a possibility. As a result, you are deemed a threat to the safety and security of the Institution, and are being placed in Administrative Segregation pending Administrative Review to determine appropriate housing and program needs. As a result of this placement, your credit earning status, custody level, privilege group, and visiting status are subject to change.

<input type="checkbox"/> CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) <input type="checkbox"/> IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /			
DATE OF ASU PLACEMENT <b>07/21/04</b>	SEGREGATION AUTHORITY'S PRINTED NAME <b>T. Harris</b>	SIGNATURE <i>[Signature]</i>	TITLE <b>Warden</b>
DATE NOTICE SERVED <b>07/21/04</b>	TIME SERVED <b>1930</b>	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE <b>C. GORDA</b>	SIGNATURE <i>[Signature]</i>
<input type="checkbox"/> INMATE REFUSED TO SIGN		INMATE SIGNATURE <i>[Signature]</i>	CDC NUMBER <b>V30568</b>
<b>ADMINISTRATIVE REVIEW (PART B)</b> The following to be completed during the initial administrative review by Captain or higher by the first working day following placement			

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT NAME <b>Wallace</b>	TITLE <b>CCI</b>	INVESTIGATIVE EMPLOYEE'S NAME <b>N/A</b>	TITLE <b>N/A</b>
IS THIS INMATE:			
LITERATE?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE COLLECTION BY IE UNNECESSARY	<input type="checkbox"/> YES <input type="checkbox"/> NO
FLUENT IN ENGLISH?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	<input type="checkbox"/> YES <input type="checkbox"/> NO
ABLE TO COMPREHEND ISSUES?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	<input type="checkbox"/> YES <input type="checkbox"/> NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	<input type="checkbox"/> YES <input type="checkbox"/> NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Any "NO" may require IE assignment	
<input type="checkbox"/> NOT ASSIGNED		<input checked="" type="checkbox"/> NOT ASSIGNED	

**INMATE WAIVERS**

<input type="checkbox"/> INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER	<input checked="" type="checkbox"/> INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
<input checked="" type="checkbox"/> NO WITNESSES REQUESTED BY INMATE	INMATE SIGNATURE <i>[Signature]</i>
	DATE <b>7/22/04</b>

**WITNESSES REQUESTED FOR HEARING**

WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER
WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☒ RETAIN PENDING ICC REVIEW ☒ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION: *Retain ASU pending ICC review. Inmate presents an immediate threat to the safety of self or others. Double cell clear w/ SNX.*

ADMINISTRATIVE REVIEWER'S PRINTED NAME <b>E. BEELS</b>	TITLE <b>Exec Asst</b>	DATE OF REVIEW <b>7/22/04</b>	TIME <b>0955</b>	ADMINISTRATIVE REVIEWER'S SIGNATURE <i>[Signature]</i>
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)				DATE OF REVIEW



Flames Car backwashed  
with water arms

~~21~~ 21 22 23 24 25 26 27 28  
wed Thurs Fri Sat Sun Mon Tues wed  
29 30 31  
Thurs Fri Sat

DISTRIBUTION:  
WHITE - CENTRAL FILE  
BLUE - INMATE (2ND COPY)  
GREEN - ASU

CANARY - WARDEN  
PINK - HEALTH CARE MGR  
GOLDENROD - INMATE (1ST COPY)

FROM: AFB1-120U TO: AFB4-2034

INMATE'S NAME

CDC NUMBER

GARCIA

V-30568

REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS  
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY  
☒ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT:

On Wednesday, July 21, 2004, at approximately 2000 hours, you, Inmate GARCIA, V-30568, AFB1-120U, were interviewed and stated that you had Enemy Concerns on A-Yard. You stated that you and your Enemy, listed on your C-File, could not Program together on the same Facility, and that signing a Compatibility Chrono was not a possibility. As a result, you are deemed a threat to the safety and security of the Institution, and are being placed in Administrative Segregation pending Administrative Review to determine appropriate housing and program needs. As a result of this placement, your credit earning status, custody level, privilege group, and visiting status are subject to change.

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL) ☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /

DATE OF ASU PLACEMENT 07/21/04	SEGREGATION AUTHORITY'S PRINTED NAME T. Harris	SIGNATURE	TITLE Lieutenant
DATE NOTICE SERVED 07/21/04	TIME SERVED 1930	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE C. GARCIA	SIGNATURE [Signature]
<input type="checkbox"/> INMATE REFUSED TO SIGN		INMATE SIGNATURE [Signature]	CDC NUMBER V-30568

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<p>IS THIS INMATE:</p> <p>LITERATE? <input type="checkbox"/> YES <input type="checkbox"/> NO            FLUENT IN ENGLISH? <input type="checkbox"/> YES <input type="checkbox"/> NO            ABLE TO COMPREHEND ISSUES? <input type="checkbox"/> YES <input type="checkbox"/> NO            FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO            DECLINING FIRST STAFF ASSISTANT ASSIGNED? <input type="checkbox"/> YES</p> <p>Any "NO" requires SA assignment</p> <p><input type="checkbox"/> NOT ASSIGNED</p>		<p>EVIDENCE COLLECTION BY IE UNNECESSARY <input type="checkbox"/> YES <input type="checkbox"/> NO            DECLINED ANY INVESTIGATIVE EMPLOYEE <input type="checkbox"/> YES <input type="checkbox"/> NO            ASU PLACEMENT IS FOR DISCIPLINARY REASONS <input type="checkbox"/> YES <input type="checkbox"/> NO            DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED <input type="checkbox"/> YES</p> <p>Any "NO" may require IE assignment</p> <p><input type="checkbox"/> NOT ASSIGNED</p>	

INMATE WAIVERS

☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☐ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME  
☐ NO WITNESSES REQUESTED BY INMATE

WITNESSES REQUESTED FOR HEARING

WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER
WITNESS NAME	TITLE/CDC NUMBER	WITNESS NAME	TITLE/CDC NUMBER

DECISION: ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☐ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION:

ADMINISTRATIVE REVIEWER'S PRINTED NAME	TITLE	DATE OF REVIEW	TIME	ADMINISTRATIVE REVIEWER'S SIGNATURE
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

**INMATE APPEAL ASSIGNMENT NOTICE**

To: INMATE GARCIA, V30568  
Current Housing: DFB4T2000000215U

Date: September 16, 2004

From: INMATE APPEALS OFFICE

Re: APPEAL LOG NUMBER: PVSP-S-04-02513

ASSIGNED STAFF REVIEWER: A&B

DUE DATE: 10/01/2004

APPEAL ISSUE: SEGREGATION HEARINGS

Inmate GARCIA, this acts as a notice to you that your appeal has been sent to the above staff for FIRST level response. If you have any questions, contact the above staff member. If dissatisfied, you have 15 days from the receipt of the response to forward your appeal for SECOND level review.

M. C. DAVIS/D. SYLVESTER  
CCII  
PVSP

*Response to 602 to get out of AD-SEG and receive property*

*sphyc*

*psych*



## INMATE APPEAL ROUTE SLIP

**To: CTC**

Date: January 28, 2008

From: INMATE APPEALS OFFICE

Re: Appeal Log Number **SVSP-D-08-00403** By Inmate **GARCIA, V30568**

Please assign this appeal to appropriate staff for **FIRST** level response.

Appeal Issue: MEDICAL

Due Date: **03/11/2008**

Special Needs:

STAFF INSTRUCTIONS: **Per Director's Rule 3084.5(f) (2) first level appeal review requires a personal interview with the inmate unless the appeal is granted.** This policy is not within the institution's jurisdiction and cannot be waived. Director's Rule 3084.5(f) (3) provides that a telephonic interview may be conducted if the inmate is not available in person.

Begin response with GRANTED, DENIED, PARTIALLY GRANTED or WITHDRAWN. When complete, return appeal to the Appeals Office. All first level appeals require signature of the Division Head. Appeals that are incomplete will be returned for appropriate completion.

Refer to D.O.M. 54100 for instructions.

T. VARIZ, CC-II / E. MEDINA CC-II  
Appeals Coordinators  
Salinas Valley State Prison



STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

INMATE/PAROLEE  
APPEAL FORM  
CDC 602 (12/87)

Location Institution/Parole Region

Log No.

Category

2.

2.

CTC 1st

You may appeal any policy, action or decision which has significant adverse affect upon you. With the exception of Serious 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeal Coordinator within 15 days of the action taken. No reprisals will be for using the appeals procedure responsibly.

NAME

Danny Garcia

NUMBER

V-30568

ASSIGNMENT

N/A

UNIT/ROOM NUMBER

D-1 #201

A. Discuss Problem:

I need my orthopedic shoes with its 1 1/2 inch lift insert, plus a new mattress and pillow for my neck and back. I have crone's for all three, I got here at 01-17-08 and today is 01-24-08 and I have not slept a full night, I wake up in pain and cannot go back to sleep, my neck will lock up and this condition will not go away for weeks. Without my shoes, it puts a curve in my spine which gives me lower back aches and headaches which I have had since I got here, this is an 8th admendment violation, I am not here for disciplinary reasons, even so I should not be denied these items.

If you need more space, attach on additional sheet.

REC'D JAN 25 2008

A. Action requested:

Bring me my orthopedic shoes with 1 1/2 inch lift insert there in this building on a shelf, I seen them, and send me a mattress and pillow immediatly

Inmate/Parolee Signature:

Danny Garcia

Date Submitted:

01-24-08

B. INFORMAL LEVEL (Date Received)

Staff Response:

BYPASS

Staff Signature:

Date Returned to Inmate:

C. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115 Investigator Report, Classification chrono, CDC 128, et al) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

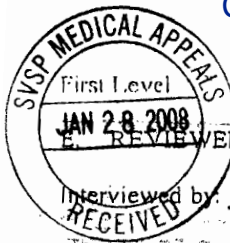
BYPASS

Signature:

Date Submitted:

Note: Property/Funds appeals must be accompanied by a completed Source of Control Form BC-1-E Inmate Claim

CDC Appeal Number:



RECEIVED COMPLETED RESPONSE ON

☒ Granted ☐ P. Granted ☐ Denied ☐ Other

First Level

JAN 28 2008

F. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: 1/28/08

Due Date: 3/11/08

Interviewed by:

1ST LVL ☐2ND LVL ☐

Inmate states appeal is taken care - has received books a life and mattress + pillow - No further concerns with this appeal.

Staff Signature: TABRINNO

Title: RN

Date Completed: 3.11.08

Division Head Approved:

Signature: [Signature]

Title: [Signature]

RECEIVED MAR 07 2008

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 or days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Second Level

☐ Granted☐ P. Granted☐ Denied☐ Other

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_

Due Date: \_\_\_\_\_

☐ See Attached Letter

Signature: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections

P.O. Box 942883

Sacramento, CA 94283-0001

Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted☐ P. Granted☐ Denied☐ Other☐ See Attached Letter

Date: \_\_\_\_\_

CDC 602 (12/87)



394665

STATE OF CALIFORNIA  
CDC 7362 (Rev. 03/04)

## HEALTH CARE SERVICES REQUEST FORM

DEPARTMENT OF CORRECTIONS

## PART I: TO BE COMPLETED BY THE PATIENT

A fee of \$5.00 may be charged to your trust account for each health care visit.

If you believe this is an urgent/emergent health care need, contact the correctional officer on duty.

REQUEST FOR: MEDICAL ☒ MENTAL HEALTH ☐ DENTAL ☐ MEDICATION REFILL ☐

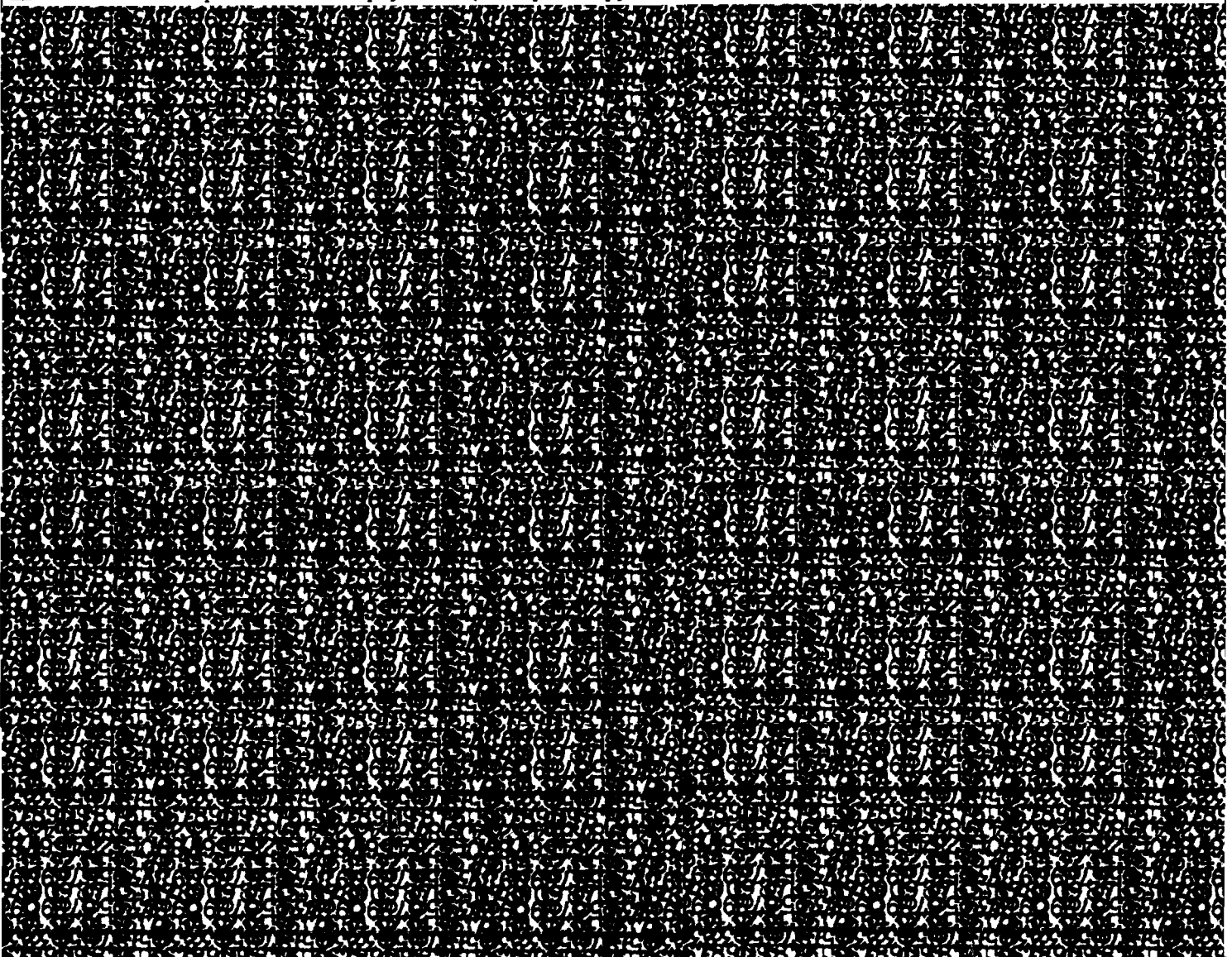
NAME Garcia CDC NUMBER V-30568 HOUSING C-13 #142

PATIENT SIGNATURE Danny Garcia DATE 07-17-08

REASON YOU ARE REQUESTING HEALTH CARE SERVICES. (Describe Your Health Problem And How Long You Have Had The Problem) on 02-08-08 at Solinas Valley State Prison I was attacked by 4 inmates, The buzzing in my head and headache's have still not gone away, I do not wish to see Nurse Todd or any other nurse, I want to see a real doctor, it's been to long with this condition, I want these condition's fixed ASAP. Thank you

NOTE: IF THE PATIENT IS UNABLE TO COMPLETE THE FORM, A HEALTH CARE STAFF MEMBER SHALL COMPLETE THE FORM ON BEHALF OF THE PATIENT AND DATE AND SIGN THE FORM

## PART III: TO BE COMPLETED AFTER PATIENT'S APPOINTMENT

☐ Visit is not exempt from \$5.00 copayment. (Send pink copy to Inmate Trust Office.)


**CFMG****SICK  
SLIP**BOOKING NO. 115925  
NUMERO DE ARCHIVOLOCATION G, pod  
LOCALIDADDATE 9-06-02  
FECHANAME Danny B. Garcia  
NOMBREDOB 2-13-63  
FECHA DE NACIMIENTOCOMPLAINT  
PROBLEMA

I need my heel lift, my right side  
of my back goes num every now & then  
and it seems to be getting worse, plus I  
crushed my right foot and most of my weight  
is on it now and it really hurts. I need pain  
medication

CFMG-SS1

**MESSAGE**

Message For

Garcia Dannyfrom medunitdate 9/9/02

number

time

AM  
PM

message

You need to provide  
your own heel lift -  
med unit will ok it if  
OK with custody

taken by JB

best call back time

date

a SC1153WS



SORT: K

SUPERIOR COURT OF CALIFORNIA, COUNTY OF BUTTE  
MARSDEN MOTION/HEARING  
HON. ROBERT A GLUSMAN; JUDGE

PAGE: 1

Reporter: K. BECKWITH

Clerk: A. MACKEY

Bailiff: \_\_\_\_\_

For: 12/17/02 Tuesday

Dept: B12

1a 1:31 PM Case: CM017813 [M] PEOPLE

v GARCIA, DANNY RAY

Type: \_\_\_\_\_  
Event: MARSDEN HEARING

Date Filed: 08/30/02 Degree: F

Related cases on this calendar: SCR36207 , CM017973 ,

Related cases NOT on this calendar: CM017917 ,

DEFNDT: GARCIA, DANNY RAY

ATTY: SHORT, WILLIAM

DOB: 02/13/63

Custody: Y(JAIL ) Bail: \$ 75000

*Charges*	-----	Doc	Pri	Dgr	Plea	& Date
Ct 1:	288.5(a)	PC	COM	F	NG	09/03/02

\* ON CT PROB IN SCR36207 - ATTY: W. SHORT

D.A. ☒ Present ☐ Absent: L. PASSMORE ☐ Deputy

=====CR6

☒ Court advises defendant of the nature of these proceedings.

☐ Court has read and considered ☐ Motion filed \_\_\_\_\_

☐ Response filed \_\_\_\_\_

☒ Court clears the courtroom except for the Court's personnel, defendant and defense counsel.

☒ Defendant ☐ sworn ☒ heard.

☒ Defense counsel ☐ sworn ☒ heard.

☐ Exhibits (see exhibit list attached)

☒ Matter is submitted.

☒ The Motion To Discharge Attorney (Marsden) is ☐ granted ☒ denied for the following reason(s): \_\_\_\_\_

☒ Hearing is ☒ set ☒ continued: 8:30 a.m. p.m. Dec. 24, 2002, 1999 at request of ☐ Court ☐ People ☐ Defendant

☒ Defendant is remanded into the custody of the Sheriff ☐ without bail ☒ subject to \$75,000 bail. ☐ Defendant ordered to be present.

☐ Defendant remains at liberty on ☐ bail previously posed ☐ O.R.

☒ The clerk's minutes are ordered sealed and the Court Reporter is not to prepare a transcript of these proceedings without order of this Court or some other reviewing court.

if court orders letters received by defendant at this hearing to be sealed

000053



### CITIZEN'S COMPLAINT

You have the right to make a complaint against a peace officer for any improper police conduct. California law requires this agency to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. This agency may find that after the investigation is concluded there may not be enough evidence to warrant action on your complaint. Even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings relating to complaints must be retained by this agency for at least five (5) years.

It is against the law to make a complaint that you know to be false. If you make a complaint against an officer knowing that it is false, you can be prosecuted on a misdemeanor charge.

I have read and understood the above statement.

Penny R. Darcia  
Complainant

9-16-02  
Date

000039

## CITIZEN COMPLAINT FORM

(Narrative Continued)

officer Ponce brought me in and placed me in an interview room. Instead of booking me, he went on to ask questions of a nature I knew nothing of. He got angry when I did not agree with his questioning, so he took me down to be booked. When I got there a nurse checked me and stated that I was under the influence. I told them that I wasn't, that I do not indulge. He knew that I did not, for when I was arrested his first question was, do I have any glass pipe in my pocket. I said of course not in a firm voice for I was offended that he would insinuate such a thing. He proceeded to have the nurse put me in a drunk tank, her reason was that my pupils were dilating, too slow. That's contradictory to his insinuation of a glass pipe. Slow dilation would mean a downer and a glass pipe with pipe. Officer Ponce's insinuation pertains to meth which is speed, a snapper. They put me in a cement room with no where to sit or lay. I had no shirt or shoes or socks, just pants. I layed on the cold cement floor for two days and a night before Ponce came back and took me back to the interview room. On the walk there he asked me how I liked it so far, I stated I didn't, he said then you better cooperate, I got your, there's no way out. Then said something about an uncomfortable visit after mentioning that he has a daughter. So it seems that he is taking this personally. I know what he meant, I've heard stories from Eva and my step brother about beatings that they had recieved under officers care, so I was affraid for my safety and told him what he wanted me too. In the first interview I told him to have the girl checked, that that would be all the proof I need. He had that delayed. He went to my dad's house & told him to stay out of it, not to help me in a threatening manner. He intimidated my dad & put a block on the phone so he could not communicate with me. Also threatened my stepmother with charges if she did not let him do what he wants. After hearing my time for the charges I decided that I would rather take a beating from him and expose him.

Danny R. Garcia  
Signature of Reporting Person

9-16-02  
Date

I have other complaints and proof but would rather not say for I know they read even the legal mail and would counter the evidence. come and see me personally please.

000040

**BUTTE COUNTY SHERIFF'S OFFICE**  
**33 COUNTY CENTER DRIVE**  
**OROVILLE, CA 95965**  
**(530) 538-7321**

# **CITIZEN COMPLAINT FORM**

1. Name of Reporting Person: <u>Danny Ray Garcia</u>		Age: <u>39</u>	Race: <u>N/A</u>
Address: <u>1712 1/2 Sweet St.</u>		City: <u>Oroville</u>	State: <u>CA</u>
2. Name of Victim of Misconduct: <u>Guadalupe Garcia</u>		Age: <u></u>	Race: <u>N/A</u>
Address: <u>1360 12th St</u>		City: <u>Oroville</u>	State: <u>CA</u>
3. Date and Time of Incident: <u>8-27-02</u> <u>8-30-02</u>		Location of Incident: <u>Butte Co Jail</u>	
4. Witnesses (If unknown, give description, car license number, badge number, etc.)			
Name	Address	Telephone #	
5. Name of Employee	Car Number	Badge Number	Description
<u>Robert Ponce</u>	<u>?</u>	<u>?</u>	<u>Hair-Brown / Eyes-Brown</u> <u>HEIGHT - 5'11" / WEIGHT - 200 lbs</u>
6. Name of Persons Arrested	Address		Telephone #
<u>Danny R. Garcia</u>	<u>1712 1/2 Sweet St</u>		<u>None</u>
7. Name of Attorney	Address		Telephone #
<u>William Short</u>	<u>N/A</u>		<u>(530) 532-0608</u>
Was any party to the complaint or any witness detained or interviewed by the police? If so, whom? <u>NO</u>			
May the investigator interview the complainant at his/her place of work or at home?			
<p>Give a narrative description of the events giving rise to the complaint. Complaint starts on other sheet          Use the attached sheet if additional space is required.</p> <p><u>I am in custody. My dad &amp; stepmother live at 1360 12th St, Oroville Ca. Yes you may question them about the threats that were made by officer ponce, the threats from officer Ponce to my dad &amp; stepmother, and the immediate block on the phone to restrict my dad from helping me. He told my stepmother that he will press charges on her if she didn't let him do what he wants.</u></p>			
I certify these statements to be true and accurate to the best of my knowledge and belief.			Date: <u>9-16-02</u>
Signature of reporting person: <u>Danny R. Garcia</u>			Date:
Signature of parent or guardian if complainant is under 18 years:			Date:
Signature of employee receiving complaint:			Date/Time:

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Hi, my name is Danny Ray Davis, I am writing to you because I need your help. There is a lot of injustice going on and no one seems to be helping me. In court I am not allowed to speak so it seems that I am being judged by what is on paper, it's the same old scenario about judging a book by its cover, so I am going to give a brief summary of who I am, please be patient. I was married at nineteen and started out with temporary agencies until I attended Career.com college of business for electronics, I had graduated highest in my class. After school I started working for Brink's home security. After one year, my one year review stated that I had a perfect year of installations, no rework, no mistakes, no one in all of Brink's home security has ever done this before or after me.

I became senior service technician after that, The standard time before becoming a service technician in three years, I did it in one. I also install and service telephone systems, intercom systems, surround sound systems, cable systems, and even electrical (heaters, heaters). During all of this I have been raising four healthy, good looking, intelligent boys. I was married for ten years and then a single parent for over ten years. I have two of the boys and I have two. Till this day I still get up every morning and peel potatoes and make breakfast, lunch (if I'm not working-weekends) and also prepare dinner. I make everything home made, nothing out of a box or can. I cook Italian, Mexican, Asian, and American.

I had taught my exwife, ex girlfriends, and even my boys how to cook. I've taught my exwife and my boys how to install stereo systems for automobiles. I am a very good teacher and I am old fashion and very strict. I moved to Orville and sold my house in Sacramento because my boys did not want to reside in Del Paso Heights and attend Grant High School, (a violent High School). Here is where I made the mistake of letting someone like Eva Ray in my life.

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Eva Ray was just an acquaintance. She had been in prison before, is violent from the stories that she tells me, apparently she thought it would impress me, but soon realized that I looked down on things like that, has tattoos which I don't approve of. Me and my boys will never have tattoos. Shortly after meeting her she was arrested for meth and was returned to prison. Eva and her ex husband never worked. They manufactured and sold meth, along with other family members. She always talked about it and was proud of it, until we started to have more in depth conversation. I am a leader and people tend to listen to me.

I am morally and rules inclined which means to me that I cannot make any mistakes because to many people look up to me for my intelligence, my education, my skills and my persistence not to get involved in anything unhealthy or illegal. I am very strict. I had a car accident and was unable to work so I went to get help from the welfare dept. to be able to pay rent which was not enough but my son's girlfriend was collecting unemployment which made it just enough to survive. Strangely by coincidence, Joy's unemployment ran out and in the same month Eva was released from prison. Eva came out and got her kids back from CPS and was collecting welfare and SSI. Eva had always wanted to be with me and promised that she had changed her ways (violence, meth use). I have a four bedroom home with a television and stereo in every room plus a game room which included a pool table, dart board, dining table for card or board games, remember I have four boys and I had created this world for them to keep them off the streets and out of trouble and it has worked. Eva and her six kids had never had a life like mine and she needed the room for all of her kids. So I agreed to let them in. Eva helped keep up the rent and bills. Eva has been there for approx. 4-5 months before I realized she still has a meth problem.

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Eva would make excuses to go places and be gone for hours at a time, sometimes at night till 3-4 am and when she returns she always takes a bath first. Sometimes her prison buddy's would come over and she would make excuses to go to the store and then be gone for hours. I know she has sex with the people she gets her meth from.

I never told her anything when she came back, I just stopped having sex with her. In the morning I would get up early like usual and peel potatoes to make breakfast, my excuse not to have sex with her. I believe that if I have sex with her, I'm having sex with all the people she's been having sex with. Plus I've seen some of the people, and they are, how would I say this, not proper.

One day my stepbrother needed a place to stay. I let him stay until I found out that he was bringing her meth & having sex with her, so I removed him from my house, not saying why, no need to argue or fight, it's not my way. On the day before the day in question I went to visit a friend, I returned before eleven, when I returned she was so mad she accused me of sleeping with someone and started an argument. I noticed the boy's bedroom door jam was broke so I asked about it, she said she got into an argument with Josh her son and he ran into the room and locked the door so she kicked it in. The kids are afraid of her because she hits them. I have never hit my kids, I don't believe in it. I've written down a grounding list for her, to teach her a better way to raise her kids. In the argument with me and her she said she was moving out the next day, I did not disagree, even though I couldn't pay for the rent and would lose my place I just couldn't take it anymore, it's not worth it.

So the next day came and she started the argument again.

I believe she wanted me to tell her to stay but I could not take it anymore so I didn't, then she started to get physical so I decided to leave the house until she moved out but I guess she had other ideas. I was at my friends



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house when the police came and arrested me. I figured it was for domestic violence but when I was brought in the officer (Robert Ponce) started to ask me questions of another nature. I got upset with him for not listening to my statement and asking questions of something I knew nothing about. So he got upset with me and took me to be booked. There a nurse checked me and stated that I was under the influence and suggested that I be put in the dunk tank. I was put in a cement room with no place to sit or lay.

I had no shirt on so I had to lie on the floor for two days and a night, and the worse part is that I was not under the influence, I don't indulge in an electronic tech, and a father, I have responsibilities. I am on call for Bulldog Security and Jack Long's Electric, I have to be ready. After two days and a night on the cold cement floor, Officer Ponce came and escorted me back to the interview room and on the way, he asked me if I had liked being in that room, I stated, of course not, then he stated then you better cooperate or next time I'll give you an uncomfortable visit. Now I know that beatings do happen, Eva and my step brother had told me about experiences that they have had. Both had been beaten more than once so I was scared and this time when he asked me questions I told him what he wanted me to tell him. One of his statements was that Eva seen me having sex with her daughter so at first I told him to have her checked.

I know that is proof of her lying and my innocence so I figured even though I had to agree with these accusations under duress that the truth would come out after the doctor's report came back, but I had no idea that the officer would go to such extremes. He had the doctor visit delayed. He went to my dad's house and threatened my dad, he told him to stay out of it, not to help me. He put a block on my dad's phone so he could not talk to me and had another officer tell my dad to stay away from my house so he can't get my

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property out of my house. Apparently he got to my lawyer too far when I asked about how to get my property out he stated he does not do civil law and when I told him about the time in the drunk tank, the threats, the threats to my dad, and the block on my dad's phone he stated I don't see where he has done anything wrong. So I told him that another lawyer came to see me and I told him the same thing, he stated that anything I had said under duress was inadmissible, in short said then go hire him. I knew that they listen on phone conversations and my mom told me my dad could not afford the other lawyer. Mr. Shoot had received the doctors report and never told me, I had to ask repeatedly if it came in. He finally gave up and said I'll check. Mr. Shoot had it and it stated that the girl was perfectly normal. Mr. Shoot had not presented this to me or the court before, I had to ask repeatedly before he would bring it forth and asked if the truth is out, what am I doing here. He stated that just because the doctor says that nothing happened doesn't mean that nothing happened.

He also refuses to give some documents I gave to him for Paul T. Personett, for Consent Decree. These documents pertain to me being injected with bad T.B. medication. The first shot came out positive, a large lump & bruise. The nurse came back and said they have to inject me again because the first batch was left out and got warm so it was bad. (I have a fear of needles).

I wrote down the incident and the statement the nurse said and asked her to sign it, she said no, I wrote a request for some documentation, the receipt came back saying no but we will tell you verbally, so I wrote down everything on a piece of

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paper in detail and I had people in the pod who witnessed everything sign it. I noticed that when Mr. Short was flicking through the paper looking for the doctor report that he still had them. I also contacted Mr. Persons who never received the documents. I am filing a civil complaint, a habeas corpus, and a petition for another lawyer. I am writing this too Judge Shegany the FBI, California Department of Justice, and the Bar association for help.

I would like the documents returned to me so I can give them to Mr. Persons and a continuance, and O.R.:

I need O.R. because while I've been in here Eva had been arrested for something and was here in jail. She is on parole and maybe out on O.R. I was told by one of my sons that she is going back to prison and is selling all of my property, including my car which I don't see how she can do that, it's in my name. I was told she had sold some of my things when I was first arrested. I figure it for her meth habit and now selling my property to party before she goes back to prison.

I have over 12 years of nice things I worked for.

On the day in question I was assaulted, it's in her statement and my statement and proof in the pictures. I tried to press charges but the officer & the lawyer both refuse to do it so I'm asking again please. I want to press charges for assault & assault with a weapon with intent to do bodily harm. And I need to be out in case one of my bosses calls me for work. And the FBI told my mom to tell me to write this letter to them. And a young man in CLIK told me to write to those other places & the Judge for help. I appreciate that and Thank Them.

Your Honor, I do not want any one else to read this. I have other papers in the letter to the FBI. It's a citizen's complaint. I need copies of them and to be put in all four envelopes and one set sent back to me. I could not get into CLIK on time to copy them, plus I am filing a Habeas Corpus, and I need more time for the authorities to respond. I know they read even the legal mail so I can't take a chance that they can counter it. I need a different Lawyer, all me and Mr. Short do is argue. I would like you to mail the letters for me please. I am in fear for my safety in here. I really need help.

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## PERSONAL HISTORY

Full Legal Name Danny Ray Garcia Social Security Number 567-11-8793  
 Other names used None Age 41 Date of Birth 02-13-63  
 Place of Birth (City, ST.) San Luis Obispo, CA Mailing Address 35 County Center Drive, Oroville, CA 95965  
 Current Address 35 County Center Drive, Oroville, CA 95965 (Butte County Jail) Telephone None  
 How long at this address? 580 days With whom (names) Butte County Jail inmates  
 Relationship None How long in Butte County Three years California 41 years  
 Legal Address Butte County Verified by Butte County Sheriff's Office Report #C02-14361, #C02-14678, #C02-14822.  
 Physical description: Ht. 5'6" Wt. 160 Hair Black Eyes Brown Sex Male Race Hispanic  
 Distinguishing marks (tattoos, scars) None  
 Driver's license number C0572816 Status ☐ valid ☒ suspended ☐ revoked ☐ expired  
 If license other than valid, explain Prior DUI conviction  
 Health (current physical condition) ☐ good ☒ fair ☐ poor. If other than good, explain The defendant reported he suffers from high blood pressure.  
 Are you currently taking prescription medication? Yes. If so, list name of medication and prescribing physician.  
Procardia; Butte County Jail Medical Unit.  
 Have you ever been examined/treated for mental or emotional problems? No. Have you ever participated in counseling?  
No. If yes, explain (when, by whom and diagnosis): N/A

## FAMILY:

Father's name (☒ natural ☐ adoptive) Guadalupe Garcia Age 61  
 Father's address 1360 12<sup>th</sup> Street, Oroville, CA 95965 Occupation Retired  
 Mother's maiden name (☒ natural ☐ adoptive) Teresa Moreno Age 60  
 Mother's address Unknown in Sacramento, CA Occupation State worker  
 Names of step-parents None  
 Number of brothers 3 sisters 1. Have any family members had criminal convictions? No If so, explain (include name, relationship and offense) N/A Additional information None

## EDUCATION:

Highest grade completed 12<sup>th</sup> Where Santa Maria High School, Santa Maria, CA When 1981  
 Are you presently attending school? No Where N/A  
 Diploma ☒ high school ☐ GED ☐ college ☒ trade school Career Community College of Business, "Electronic Tech," "Alarm installer 14 years strong."  
 Further educational interests None



**ORGANIZATIONS AND PERSONAL HABITS:**Religious preference Christian; Fraternal, professional associations NoneSpare time activities Customizing cars, "teaching stereo installation, surround sound, and telephone"Alcohol use: What kind(s) BeerHow much "A couple" cans once per ☐ day ☐ week ☒ month ☒ present ☐ past From 1993 To PresentDrug use: What kind(s) NoneHow much Denies use per ☐ day ☐ week ☐ present ☐ past From N/A To N/AAdditional information None.**MARITAL:**☐ Never married ☐ Married/intact ☐ Common-law ☐ Separated ☒ DivorcedMaiden name/spouse Susie ErrecaldePlace of marriage Sacramento, CA Date of marriage 06-26-82 Number of children 4 Ages 21, 20, 18, 14Supported by Susie Errecalde and the defendant (however the defendant initially reported, "I am sole supporter.")If separated or divorced, when? Not provided Prior marriages 0 Name of previous spouse(s) N/ANumber of children 0 Living with Susie Errecalde (except for the 18-year-old who resides with his girlfriend)Supported by N/A**MILITARY HISTORY:**☐ Yes ☒ No Branch of N/AService number N/ADate inducted N/AWhere N/ADate discharged N/AType of discharge N/AFinal rank N/AIf less than honorable, explain N/A**EMPLOYMENT:**Are you presently working? ☐ Yes ☒ No. If yes, for whom? N/AAddress N/ATelephone N/AHow long? N/AJob title/function N/A Earnings \$ N/A per ☐ hour ☐ week ☐ monthIf unemployed, for how long? Five to six months (prior to incarceration) Why? Injured in automobile accidentJob skills Alarm installer (residential, business, auto), telephone installer, intercom installer, surround sound installer, electricianName of last employer Jack Long Electric/Bulldog Security From 2000 To 2001 ("sporadic")Longest job held Brink's Home Security From October 1989 To October 1992Additional information: The defendant reported Jack Long Electric and Bulldog Security were holding his job while he was recovering from his automobile accident.**FINANCIAL:**Source of income: ☒ Employment (prior to accident) ☒ Public assistance (while recovering from automobile accident)☐ Other (specify) \_\_\_\_\_Monthly income \$3,360.00 (when employed)List assets: Cash \$0 Real property (where) \$0Personal property (value) \$20,000.00DEBTS: Total Owed \$UnknownTypes of debt: Mortgage(s) \$0Credit cards \$0 Loans (auto/personal) \$0Average monthly living expenses \$2,100.00 to \$2,300.00 Have you ever been sued for debts? NoHave you ever filed bankruptcy? NoIf so, when N/AAdditional information The defendant reported he owes approximately \$13,000.00 in back child support and \$800.00 in criminal fines to Sacramento County.



PRESENTENCE CREDITS, PEOPLE vs. Danny Ray Garcia# CM-017813

The defendant was in custody as follows exclusively because of the conduct for which convicted in this case.

		From	Dates To	Total Days
A.	Local Time Butte County Jail	08-28-02	03-29-04	580

Other (Specify)

TOTAL LOCAL TIME: 580 DAYS

B. §1203.03 PC

C. R. C

Other (Specify)

TOTAL STATE TIME: 0 DAYS

TOTAL ACTUAL TIME: 580 DAYS

§2933.1 PC Credits:  
87 DAYS

§4019 PC Credits Lost:  
(see attached) 0 DAYS

NET TOTAL TIME PLUS CREDITS: 667 DAYS

(Time computed through March 29, 2004)

  
Anna Kuhn, Deputy Probation Officer III

Calculated at 15%

Pursuant to §1191.3(b) PC, the Probation Officer estimates that as many as 1,049 days conduct and work-time credits may be earned by the defendant if (s)he is committed to prison for the recommended 21 year determinate term.

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

(C.C.P. SEC. 466 & 2015.5; 28 U.S.C. SEC. 1746)

I, Danny Ray Garcia declare under penalty of perjury that: I am the plaintiff in the above entitled action; I have read the foregoing documents and know the contents thereof and the same is true of my own knowledge, except as to matters stated therein upon information, and belief, and as to those matters, I believe they are true.

Executed this 5th day of December, 20 06, at Salinas Valley State Prison, Soledad, California 93960-1050.

(Signature) Danny R. Garcia  
DECLARANT/PRISONER

PROOF OF SERVICE BY MAIL  
(C.C.P. SEC 1013(a) & 2015.5; 28 U.S.C. SEC. 1746)

I, Danny R. Garcia, am a resident of California State Prison, in the County of Monterey, State of California; I am over the age of eighteen (18) years and am/am not a party of the above entitled action. My state prison address is: P.O. Box 1050, Soledad, California 93960-1050.

On 12-05, 20 06, I served the foregoing: Legal Documents and letter to the Innocence Project/San Francisco Innocence Project, office of Public Defender, 555 7th Street, 2nd floor, Northern California Innocence Project 874 Lafayette Street, Santa Clara.

(Set forth exact title of document(s) served)

On the party(s) herein by placing a true copy(s) thereof, enclosed in sealed envelope(s), with postage thereof fully paid, in the United States Mail, in a deposit box so provided at Salinas Valley State Prison, Soledad, California 93960-1050.

Detailed letter of case, Citizen's Complaint as evidence, 18 pages of letter and 9 pages of Citizen's complaint and 1 page, form from the Innocence Project required by them

(List parties served)

There is delivery service by United States Mail at the place so addressed, and/or there is regular communication by mail between the place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 12-05, 20 06,

Danny R. Garcia  
DECLARANT/PRISONER

11-05-06

Page 1

To whom it may concern, I, Danny Garcia have been put in prison by Butte Co. whose public defenders have conspired with the DAs to make this possible. I am going to tell you everything that has happened from the first event to the actual trial so that maybe you can find other illegal acts that I might have missed. First you need to know who I am, I had attended Career Conn College of Business for electronics in Sacramento after half a dozen jobs from temporary agencies, graduated highest in my class and started working for Brinks Home Security and had stayed in the alarm business for approx 13 years bonded and licensed with consumers affairs. Married for 11 years then a single parent, I have 4 boys, have never been in trouble and I was proud of my clean record, I'll explain the other situations on my record at the end, I had lived in <sup>Sacramento</sup> ~~Sacramento~~ for 16 years as a model citizen and a father. My first and biggest mistake was committing adultery with Verena Rangel (Gonzalez) in Sacramento at my house on 32nd St. which was part of the reason for my divorce, she was 16 at the time and as you can see I admit it just like I did in court, I don't lie as you'll find out. The second event was that Marlene (my Dad's girlfriend) had called me to the house to tell me that she was giving Karlene (her 4 year old daughter) a bath and Karlene told her not to put her finger in there so she asked her who had done that and she had told her me, I got upset of course and told Marlene in a lecturing manner that that's not funny or something to make up and she said well that's what she said so I told her to take her and get her checked to <sup>see</sup> if someone had and she said no, she said she was going to call the police, I knew that they would have her checked whether Marlene wanted it or not, I went home and told Eva (a girlfriend) and Eva told me she knew why Marlene said that and started to tell me that it was a ploy to keep her away from my Dad because of what happened during Easter. Apparently my dad had grabbed Eva's breast which started this big commotion, all I know is that I saw Marlene storm off, I was in the back yard cooking, this incident happened in the front yard and Eva had told me that my dad had grabbed someone but didn't tell me it was her. Marlene didn't confront Eva because Eva's one of those kind of women that even

1-65-06

2 men are afraid of, she has a reputation for beating up men so women are just too afraid to confront her. Eva 4 kids, never worked a day in her life, whole family were pure cokers (methamphetamine) so that may be reason why they never worked, no education in and out of prison, not someone I would normally associate with but I had gotten into a bad car accident which left me in a wheelchair and crotch for awhile, ~~the~~ Eva and her husband (Ex) were friends of my dad (<sup>Eva's Ex</sup> Tyrone Blum) which is how I know her, she had just gotten out of prison and was collecting money from the State for herself her kids, I was in a big four bedroom mobile home with two living rooms, I had alot of ~~front~~ furniture (crock table, fish tanks etc) so I needed something big but after the car accident I couldn't afford it, she said she could help and I had plenty of room and she had promised me that she wouldn't drink or use (meth) which of course she lied, lots of problems like this one, Eva the kind of woman that got perverse even after I told her she's not my lady just a friend, I had even told my son to call the police on her before because she had been drinking even after I had told her not to (she was on parole) and had started to hit me and went into Lisa's room (Eva's niece) and Lisa had to punch her then she left and the police caught her at Norma's (her stepmom), who in turn had put her back in prison so as you can see it wasn't to smart to let her back in the house after she had gotten out but like I said I was in a bad situation, anyway since I kept going to my Dad's house to do work or just visit I would keep bringing Eva with me, I didn't know Marlene didn't want Eva there, nobody had told what had really happened so this was a way for Marlene to keep me away so Eva would stay away, this is what Eva had told me, it turns out that if course the police had Marlene checked and of course nothing and I believe Marlene changed her story <sup>50</sup> but Marlene says it was Marlene who after she's checked says that she dreamed it that it wasn't real, it doesn't sound to me what a 4 year old would say so it was all dropped of course never to be brought up until Sharon (my <sup>Ex</sup> brother) real name Jason Kengel had, let <sup>me</sup> explain, I should've never let him in my life, he had been kicked from our family for alot of reasons but the last straw was he was scoring Marlene



11-05-06

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meth and whatever else they were doing but got caught when my Dad had thousands of dollars missing from his account, but I had made another bad decision and was letting him in my house, let me start, I had gone over to Debbie for a visit, she's just a friend she had her boyfriend then, me and Shawn left at approx. 10:00 pm, when I got home Eva was throwing a fit accusing me of having relations with Debbie and said her and the kids ~~was~~ were leaving with I hadn't realized till later that that's not Eva, she's possessive, she had said once that if she couldn't have me no one could, but at that moment I said nothing, I couldn't take her no more I didn't care what happened, if I couldn't work then I'll just put my belongings in storage and go back home to Sacramento, plenty of jobs and no discrimination like in Battle Co., So the next morning the yelling and screaming started again believe me it makes them mad when you don't argue back so since I don't deal with this I went to the bedroom to get my shoes and leave, I figured I'll stay away until she left but as I tried to leave she came at me with a butcher knife but I made it to the door and left and went to Debbie where I was arrested I figured for domestic violence but I never touched her, anyway a officer once had taken me to a small room with two chairs and had asked me what had happened and I had told him and then he began to tell me that I had been arrested for statutory rape, that Eva had walked to Carmel's bedroom door and opened it and saw me on top of Carmel having intercourse and that she had stood there for a few minutes watching and then said that Carmel verifies it and said it wasn't the first time so I said that's impossible go have her checked and he said I can and I'm going to have a DNA test done and I said good I want that done too, apparently I sounded convincing enough for him to go back and question them so he took me to the booking area but didn't book me, instead he took me to a nurse who looked at my eyes and said her under the influence, I said no I'm not and they just looked at each other and then police spoke and said if that's what she says that's what he has to go by so I said then take a blood test, again they looked at each other then he walked away and another Co. came and walked me to a cell where

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there was no where to sit or lay down, I had only my pants, no socks, shoes, or shirt, and they left me there over night freezing laying on the cement floor while they had the air conditioners blowing cold air in, I had asked a cor for a shirt and socks but he just kept walking by, it seemed in the middle of the night when a cor came and gave me a shirt then transferred over a couple of cells to one that had a bench and gave me cold cereal and milk which I found out was breakfast, usually given at approx 4:00-4:30 am, later on Ponce came back and escorted me back to the same room, during the walk he asked me how I liked being locked up in there, I said I didn't, he said then you better tell me what I want to hear or I'll put you back so of course I was scared, I didn't want to go back in there and I was also afraid of more abuse (physical) both Eva and Sharon had told me of beatings they had received from both co-sheriffs so this is the second interview which of course was made under duress so I tried to tell him whatever I could without admitting to something I didn't do so we were having problems with Carmel so I read some of those incidents, I knew that once the doctor's report came back that they would know that Eva was lying and I could go home and I would be able to tell of the treatment and threats and that the second interview was made under duress so I found out later why he had the nurse say I was under the influence, it wasn't just to mistreat me into submission it was also to keep me in his custody which I had figured out later after another incident, well a few days later Mr. Short came to see me (Public Defender) and this is what was read to me that Eva heard some strange noises and got up and went to Carmel's door opened it up and found me and Carmel engaged in intercourse and she watched for a few moments before she had kicked me off of her and yes she had chased me with a butcher knife, that Carmel had said yes we were having intercourse and that it wasn't the first time, she said the first time we had intercourse that I had made her bleed which was basically what Ponce had told me in the first interview, all I wanted to know was what the doctor's report had said he said that he hadn't received it yet, so he came back again to see me and began to read the same statements to me, I interrupted him to ask about the

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doctors report and he told me to be quiet and listen and after he was done had said that he doesn't have it because the doctor's appointment was canceled because they were waiting for a woman doctor, and the third time Mr. Short came to see me he started to read to me the exact same thing I didn't want to hear this again so I interrupted him to ask about the doctor's report he got mad and said he didn't have it that I need to shut up and listen because I was in a lot of trouble, he had mentioned before that I should've talked to officer Ronce but nobody told me not to or I wouldn't of but that was the main reason he was mad but then not used to people yelling and or talking to me like that so I told him I don't want to hear this anymore where's the doctor's report and he grabbed his folder (or) and skimmed it on the table and started flipping the pages until he came to the doctor's report and then started reading it to me real fast so as to not let me comprehend what he was reading and yes he had lied to me about not having the doctor's report, anyway he was reading and I had caught the part where he had said the hymen was still intact but like I said he was reading real fast so I said hey wait a minute if the hymen is still intact doesn't that mean she's still a virgin? he said yes, then I said well then if you know they lied then get me out of here, he said just because the doctor says nothing happened doesn't mean nothing happened so I said if she's still a virgin then they lied get me out of here and he said you don't understand you see this well, just <sup>because</sup> it's painted doesn't mean it's painted (?) till this day I still don't know what he meant by that so my next step was to see if I could get another lawyer, my family couldn't afford one so I started going to CLC, it's a room where law students from Chico state come help us out with law and this is where I learned of most of the illegal acts Ruth Co. were committing, they showed me how to try and get another lawyer (Matsin Motion) and during that motion Mr. Short's demeanor was totally different, he acted like he was my friend and that he was doing everything he could to help me, he's a good liar (even) and he had told them that I had changed lawyers over and over on place co. he even told them that I had laughed



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6 about it but as you can see I had never filed a motion before, he knew that (Mr. Smith) I had told him what had happened in place 60, and that the students at the CLC office are the ones that introduced me to it, this is what happened and what I told him, I live in Sacramento, I have a girlfriend Jenell who wanted to visit her daughter in Roseville so I dropped her off, it didn't last, she called and was crying, her family was giving her a hard time and she wanted me to go and pick her up so another friend Dora was there and we went to get Jenell and parked a block away in an open area and waited for Jenell but trailing her was her mother and a cousin and they immediately went to the driver's side where Dora sat (Dora's Trans Am) and started punching Dora I tried to grab the cousins hands to stop her but she's one of these big brute types so I got up and reached in back of my seat (Dora's) to grab whatever I could get out of my tool bag, I carry my tool bag all the time because I'm on 24hr. service call (Security Alarms) I grabbed a sheet rock cutter and went to the back of the car to go around to the driver's side to see if I could chase them away and the cousin had met me at the back of the car, she was actually coming after me so I just stood there and when she saw the sheet rock cutter in my hand she stopped and backed up so I went by her to the driver's side window and yelled at the mother to get away from the car, she stopped punching Dora long enough to glance at me and saw the sheet rock cutter and backed away, I told Dora to roll up the window and ran to the other side to get in and grabbed Jenell and she said she didn't want to go (I don't know) so I jumped in and we left while they were throwing rocks at the car, Roseville Detectives came to my house but I had missed them, I went to pay a ticket for my dog and was arrested then, 14 days in jail for attempted kidnapping and assault with a deadly weapon with intent to do bodily harm, anyway the public defenders were trying to get me to plead guilty to a misdemeanor assault but I didn't assault anyone, I didn't do anything wrong I didn't know why they kept giving me different lawyers till after everything was over which is sad that it took me that long because I



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7 never would be given in but #5 lawyer said his investigator found Dora and Dora's version of what had happened was exactly the same, of course it only happened one way, me and Dora had parted as friends because I came home one day and found her, her step sister and a friend and some guy in the house and I'm not dumb I know what they were doing so I told them all to leave and not to come back, I'm real strict when it comes to my house and my kids, yes and other things. To which does make it hard to keep friends but oh well, my way or the highway, rules are meant to prevent caos, even Eva calls me a top caller, its not my job to controll people like her, I have my jobs (Forher, head of household, Norm's etc.) I don't need nor want another one anyway #5 lawyer was named Lisa? I can't remember her last name but she said don't worry she'll get me off and the next thing I know I have another lawyer and he tells me to plead guilty to a misdemeanor assault I said no and proceeded to tell him what Lisa had told me and he says he uses his own investigator that he can't use what other lawyer's investigators have and that his investigator can't find Dora so I'm looking at 8 years in prison if I don't plead guilty to a misdemeanor assault so we went back into the courtroom and the judge asked me and I looked around for a moment and said yes and started to cry, I have never felt so betrayed in my life as I looked around with tears running down my face everyone looked down nobody would look at my face which started a domino effect for my future, like when I told Jonell that I was going to tell the police about her antics and she through a fit and started hitting yelling go ahead call them anyway when I tried to stop her she bit me and I hit the top of her head to get her to let go. at court the public defender tells me just to plead guilty because I have a prior domestic, I said no - I don't its just a misdemeanor assault he said its an assault on Jonell I told him that must be a clerical error but there was nothing he could do so I had to plead guilty again and it was self defense, but these people just like places Co, now I was innocent, Places Co - 8 years in prison compared to a misdemeanor assault, time served no fence

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8 just leave, and Sacramento who charged me with another misdemeanor domestic gave me 12 anger management classes, there's no such thing, it's either 32 or 52, when I went to Chico to sign up she told me so that there's no way to complete the course but signed me up anyway and I had seen that if you miss one class you get violated, 2 guys in the class were violated and by not having money to pay for a class I didn't show up for a class and she called Sacramento and tried to get me violated but nothing, Why? why would Sacramento tell them just to leave me alone, because they knew I was innocent, I apologize for getting carried away but I've been to these committees and they read everything to you and whoever else is in the room at the time and on paper it makes me sound like I'm the worst person ever and I'm not guilty of anything. But association, they ask me how come I go so much time because there's others with the same charges that didn't get half of what I got, it's how Butte can keep others from wanting to help, they take one look at my file and decide not to help, I'm telling you I fought them myself with the help from the students from Chico State and they hate me for making them work harder than they had to, I kept saying things out loud in court so the judge could hear me while the public defender tried to keep me quiet. Do as you can see Mr. Short had lied during the main motion and tried to make me look bad so that the judge wouldn't grant the main motion and he didn't so I tried again and lost so the third time I tried for a parallel motion and the judge suggested I try for another main motion and I reminded him that I had tried twice before and he said try again and he granted the main motion and assigned Mr. Forland, now somewhere around this time Mr. Flanagan had quit my case and had quit altogether from what I understand, it was said that he was tired of the corruption but I think it was that and the fact that I kept bringing up issues in court out loud so the judge could hear me and whoever else that was in the courtroom in hopes of getting some help. I had written letters to the F.B.I. and the Justice Dept. and no response so I sent formal complaints (Citizen's Complaint) to both agencies plus the judge and the state.

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9 bar and no response so I asked my mom to call and ask and she said they never received anything, the state bar sent me the same forms I had sent them before and since the jail wasn't letting my legal mail go through I decided not to try anymore and decided to focus on learning as much as I could about law so that maybe I could get myself out but those people there have been putting away people illegally for awhile, its like routine to them except for someone like me who gave them a hard time and ain't no one fighting, those people need to be stopped. One day I was called out for a visitor, it was during the week so I thought it might be a lawyer but when I stepped out into the hall I froze, there down the hall stood Ponce, I was scared so I didn't move and the CO had to shove me to get going and I was directed to a small interview room where I noticed the CO stood on the outside of the door and kept the door open and Ponce stood over me with his back to the open door and proceeded to tell me that I have another charge, Verenna, he asked me to tell him about it and I said nothing, he gave me dirty looks just standing there over me, you know the kind of looks could kill, but not threats, his whole attitude was as one who was being restrained and that's when I had realized that I was in the custody of the jail (CO's) and he couldn't hurt me so I told him to put me back in the Pod, this is when I had understood why he had the nurse say I was under the influence to keep me in a drunk tank to keep me in his custody while he went back to question them and they must have told him the truth, first let me tell you what Forland had read to me about Verenna that I had drove from Sacramento to Oroville in my red Chevy Beretta and picked her up at Nelson Jr. High when she was thirteen and went and parked in the middle of nowhere and did the wild thing and drove her back and I went back to Sacramento now I told Forland (which I should not have) that one if this had happened that it would have to be during the week, I was working for Brink's Home Security and I have never missed a day, its on my yearly reviews no rework and perfect attendance and my records and I didn't even own the Beretta in those years, it was a 58 Chev



purchased in '92, it was four years old and had previously been a rental car.  
 Barrett, I told him to get my file from <sup>AVCO</sup> AVCO finance Co. and  
 from Cal Worthington Chevrolet on Florin Rd. and my DMV  
 records, he states that B.ink's doesn't hold employee records  
 that long and AVCO finance Co. had moved to Texas and  
 said he'll get my DMV records after the trial, he said he'll be  
 able to get those charges dropped after, I told him keeping the  
 charge makes me look bad to get rid of it first, I even said it  
 out loud in court & so the judge would hear me and he said  
 maybe Forland has a plan that's why he says he'll do it after  
 so I don't know if the judge was involved in all of this but you can  
 see why I'd have my suspicions, anyway I just could not believe  
 that Verenna would make this up I mean that's not Verenna  
 believe me there's nothing negative between us and she's just not  
 that kind of person so Shaun must have told her too but there's  
 still something missing so back to CIT and the student told me  
 that there's a jurisdiction issue that what had happened in Sacramento  
 can't be brought to Butte Co. which now made sense and it had to  
 be Ponce to convince Shaun into telling Verenna into lying but  
 the story would have to start with Ponce and the knowledge of  
 jurisdiction, Officer Ponce, and my <sup>brother</sup> brother Shaun, Verenna's  
 brother, Shaun had moved into my house with Eva the moment  
 I was in jail, Shaun told Ponce about me being with his sister  
 and about the incident with Marlene that was dropped, approx. a  
 month after being in jail my Dad came to visit me and told  
 me Eva was three months pregnant with Shaun's baby and  
 she wouldn't let my Dad get my property with everything in  
 that house was mine except for one twin bed, well over \$20,000<sup>00</sup>  
 in my belongings that I earned working in the alarm business  
 about 6 years accumulating, all lost to Eva who never worked a  
 day in her life, I don't think she could ever realize what she had  
 in her possession, well over \$7000<sup>00</sup> just in the stereo, a 1600<sup>00</sup>  
 portable, what she sold my stereo for: a \$50<sup>00</sup> bag of dope that's what  
 I heard she was doing, she lied to the police and said my Dad  
 threatened her so the cops told my Dad to stay away and he  
 couldn't get my property, a month later she's violated, kids  
 taken away and she's back in prison for dope again. This

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happend a couple of times while I was in jail (Butte Co.)  
 which is why I was in there for 19 months, Forland kept postponing  
 court dates while she was in prison so that she could be present  
 for court, you see I didn't know why he kept postponing court  
 dates for such long periods of time until my Dad would come and  
 tell me Eva's back in prison which is another reason why I know  
 Forland was conspiring with the DA and Ponce, all of this is  
 because of Ponce, he's the one who started this, he talked Sharon  
 and Verenna into making up ~~the~~ their story, I admit being with  
 Verenna, but it was in Sac. and Ponce gets more out of Marlene  
 and Karlene, something that didn't exist before, he went to my Dad's  
 house and told him to stay out of it, not to help me which actually  
 scared my Dad, and get this I got mad at Forland in court  
 because he wouldn't read the doctor report so again I said it out loud  
 and he was pissed so he stood up and acted like he was going to read  
 it but then just said the findings are compatible with the complaint  
 I gasped I stood up and said that's impossible then the judge said  
 court adjourned and I was escorted out but you know the next time  
 I saw Forland I was mad and asked him how is it possible that  
 it can be compatible, her hymen's still intact, she's still a  
 virgin and he said I don't know where your getting these accusations  
 of intercourse then nothing in here that says that, so I had repeated  
 to him what Ponce and Short had told me and he said that I was  
 making it up, I was so furious oh my god if you only knew how  
 I felt, the things going on in my mind, he talked to me as if  
 I was crazy I mean for real crazy which is where I tried another  
 motion trying to think of how to bring the truth out, things  
 were looking bad and I had no help and I'm no lawyer but I had  
 to think and think and I thought of something the first interview with  
 Ponce, he had told me what Eva had said, by now I had figured  
 out that the original report had been altered and now understood  
 why Short and Forland had refused to ever give me copies, so just  
 in case I kept coming up with proof they can alter it, but in the  
 first interview it would all be there, how he told me she witnessed  
 the intercourse and he'll have Carmel tested and how I responded  
 by saying good I want you too and the DNA test and how I

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responded with I want that tape and requested to see it and I told his investigator to take the video and have it authenticated first and that's when Forland postponed the court date for months and never brought the tape and yes Eva was back in prison with insanity. Forland postponed it for so many months. All of a sudden Jim told that the trial gonna start and I did the same thing again, I spoke up in court about the tape and Forland told Judge Ellisman that he would show me the tape in the jail but that's not what I wanted I wanted the judge to see it, on the way to the interview room to view the tape Forland said I don't know why you want to see it police officers are allowed to lie to get people to say what they want, he's just mad because he had tried so hard to not show me the tape and he had showed me the second interview, the one made under duress so I said which is the first one and he said this is, so if they want to play that game then officers police never read me my rights which would only exist on the first tape they pretend doesn't exist. So now we come to the trial, there was one guy that all he did was throw me dirty looks (Jury) and I told Forland not to pick or should I say pick him to be <sup>excused</sup> and Forland said no, he was now trying harder than ever to make sure I was found guilty, but the next day that same juror stood up and said that he could not be bias that he would find me guilty, so the judge excused him and Forland was mad, Forland said that I will not be allowed to ask the witnesses any questions I found out later that it was my right to but he didn't want me to because he knew I would ask the right questions and when I had told him to subpoena my character witnesses, Jennell, Susie, Patrick, Reggie & Clyde who work for the Department of Justice, Richard Frost who's an ex highway patrolman who had also took me back and forth from Dec to Auburn to those 13 court dates where they gave me 6 different public defenders, and Bessie (Ex wife) because she would know everything about the 58 Chevy Barnette and what had happened in Dec. with Terenna but he said nobody wants to come but they made sure they suborned everybody against me, they even brought Susie but used her against me, Forland never asked her about if we had owned the car in 1990, when I bought it it was four years old it had

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been a rentacar previously. Forland helped them, Eva opened the door, there was no door, those kids had broken it off the hinges he didn't mention that, and they showed pictures of her vagina and said there was redness where I rubbed my penis on her, so where's the DNA test, guess what, at the end of my sentencing Forland handed me an envelope and when I got back to the jail (I'm in shackles) I opened it and it was the DNA test and of course it was negative and get this, during the trial I looked at a paper in front of him and I started to read it and I said out loud there it is, it's right there and he and he started to shush me to keep it down and he said gee I just noticed that, I'm going to call up officer Collins to ask him and I handed him a piece of paper that I guess had slipped through their fingers to me, it said that my charge was rape (statutory) and what I had read in front of Forland was the original police report from an officer Collins which stated that Eva had seen me having intercourse with Carmel so he took both documents and put them in his folder and when he called up officer Collins he never asked about the report or what was Eva's complaint, he had lied to me again, and now they had come up with me putting my penis in Harlene's mouth, that would be impossible which is what I told Forland and how to use it during trial, I'm well enough, I'm large down there, Eva couldn't give oral sex because she said her jaw popped and Eva had a hard time trying, these are full grown women, do you really think a four year old could put it in her mouth, and during trial he asked Eva if I was large and if you know Eva you can just imagine how she answered yes, she use to brag to her friends and relatives, it was embarrassing it always was with her, and you need to understand that alot of what I heard during trial I was hearing for the first time, remember I had never recieved any of the complaints, like Carmel masturbating me forty times where? when? in a house with 4 or 6 adults and 6 to 7 kids at all times that's a minimum of ten people and here I am again trying to think of how to help myself and then it came to me, if you remember I had mentioned that we were having problems with Carmel well I had caught Carmel in bed with her brother Josh with these hands under the covers and it wasn't the first time and Jasmine had



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14 found a adult magazine in the room she shared with Carmel which she had <sup>(Carmel)</sup> stole from the master bathroom which you have <sup>to go</sup> through the master bedroom to get to and which nobody is allowed in except me and Eva and there kind of hidden under the sink and Carmel was grounded at the time for trying to get the 6 year old neighbor kid to or should I say got the little boy to lay on her and how they put it hump her, I had to argue with Eva to ground her, Eva thought it was cute, she said she started having sex when she was eleven and didn't see anything wrong with the things she was doing, so I eventually won but when we let her off her grounding, she went right back over to the neighbor and pulled her pants down in front of all the boys which included her brother so we grounded her again, what I'm trying to show you is that she wasn't so innocent that she had seen what a penis looks like, as a matter of fact she's seen more than one but she's never seen mine, let me explain, all that she has seen whether be the neighbor or the magazine or her brother's penis are all basically white which would mean that they would be circumcised, it seems to be a mystery but most mexicans don't believe in that which would mean she wouldn't know what it look like even though she says she masturbated me forty times so I drew two penises on one piece of paper and in court during trial I stood up and told the judge I have something that could help me something important and that I don't trust Forland with it and the judge said that I couldn't present it, that only Forland could so I was just going to have to trust him, so I didn't have a choice and when I was in the back in a cell Forland came in and asked me what I had and I told him that I don't trust him, what good is it going to do me if you're helping the DA and he replied, well you don't have a choice so I asked him, look, I know your trying to put me away but if I can prove to you that I'm innocent will you help me, he said let me see what you got and I showed him and explained to him why I drew these pictures and how he should use them and elaborate on them and he said he would show Carmel the pictures and told me to hold on to them until he was ready and of course he lied again, he asked Carmel questions that made me look bad and never asked me for the pictures so he never showed it to her or the jury and after he was done



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asking her questions he walked away then stopped and turned around and said oh, by the way what does <sup>Danny</sup> ~~Johnny~~ look like? she said what? he said did he look like a helmet or a turtle neck sweater and she said a helmet but like I said he didn't elaborate on it even after when he was doing closing arguments nothing on the 88 Chevy Beretta, no door on the bedroom, me being to large for the accusation from Marlene (Banc) or about Carmel who obviously didn't know what I look like and so much more its ridiculous. After I was found guilty I said to him oh you said you would go to the DMV after the trial and get the proof and have Verenna's charges dropped and he said well the DA never brought it up in court so I can't, that's just how it works, I should have figured he was up to something and it made sense why he refused to let me ask the witnesses questions because I would've asked about that and a dozen other issues.

As you can see its obvious that Forland conspired with A.A. Mossbarger for how would she know not to mention the red Chevy Beretta or for that matter they never even mentioned Verenna's charges at all they just made up some story of her when she was little and even then Forland didn't try to defend me, how could anything happen when Dixie was with me at that time, Forland knew I had told him, we even had an argument (argument's) and he had told me he thinks I'm guilty, what a liar, he knew those reports were altered, Mr. Short had read me what was on their, he never did, all he ever did was tell the court it was compatible with the complaint with my response was that's impossible! At the or before should I say, the sentencing a probation officer came to talk to me and I had told her what was happening and she suggested that I write the judge a letter and tell him so I did, at the sentencing he proceeded to give me my sentence and I interrupted him and asked if he had gotten the letter I had sent him, he said yes, I replied well did you read it he said yes, I replied and your gonna let them get away with this and he got mad and started saying I had no remorse, for what! this whole situation is insane, I've been betrayed by the system I've always believed in, I mean

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I even believe ~~that~~ the three strikes rule, my boys used to call me sergeant Dad, I don't know if the judge was involved but it sure seemed like it, I'm the one that said (out loud in court) there was a statute of limitation on Verenna's charges, Forland got mad at me and he brought up an issue where another judge had overturned it and presented it to the judge and the judge overturned it for Forland and let the charge stand, long before the trial when I sent those letters to the FBI, Justice Dept, and state Bar, I had sent the judge a copy, both times first in a letter then in a citizen's complaint and he had ignored them, and there was a Kevin Horton who was going to trial also and his uncle overheard Judge Bluzman say to the other judge who told me I was found guilty that he had to leave, that he couldn't take it no more, that son of a bitch deserves what he gets, he's not supposed to call me names and he's supposed to be bias, I think it was just an act for the other judge in case I tried to speak up in court like I had done dozens of times before so the judge could hear me at the same time. Forland would be trying to keep me quiet. This is how I think you should go about this, first don't notify Butte Co. of an investigation and go get my D.V. records first and present them to Verenna and ask her why she lied and the same time let her know she can get in trouble for making this up and that you know she's not the one who made up the story that you know Shaun (her brother) had told her to (warned) say this but its gonna go after that you really don't want her or her brother, Verenna will try to protect her brother but neither of them have legal ~~stage~~ knowledge of jurisdiction so you know it would have to come from someone who has the knowledge, once you get her to tell you the truth go to D.A. Flanagan with this info and the original police report from officer Collins and the authenticated first video interview with police and hopefully immunity from prosecution and see if he'll step up and tell the truth, ask officer Collins about his original police report, look, I'm tired and frustrated again, when I write these letters I go through the motions of trying to do this alone, I believe that finding some legal flaw and setting one free is not the way the Lord

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meant this to be, I believe he chose me because he knew I'd be strong enough and smart enough to expose Butte Co. for all the crimes they are committing, which is why I thought of filing a Federal Habeas corpus so that the investigation won't really be focused on me but on Ponce, Short, Forland, Mossburger, Elusman, Flanagan, and even Co. Kariasis who worked in the mail room who didn't let my mail go through to the FBI, Justice Dept, & the State Bar, I had written a to the FBI, Justice Dept, & Judge Glusman with no response so I figured they wanted it in a legal form so I filed a Citizen's Complaint with I am sending you a copy of which had the address of the FBI and Justice Dept and internal affairs for Butte Co. which I didn't trust so I never sent them anything.

After months of no response I called my mom in Sacramento who worked for the state at the time and asked her to call these organizations and see why they haven't responded and they told her they have never received and letters from me, so you can see I've been trying to get help for a long time and if these people went to Verenna and got her to lie and had Eva change her story of saying we have intercourse with her daughter how far will they go now to stop this investigation, they outwitted Mrs. Goodwin, I'm sure they'll prepare for this and Forland is considered one of the best so good luck. My cellie asked me why they had it in for me? I replied with the only info I had, Butte Co. was Bankrupt because of a lawsuit by Dean & Cameron and the only other thing was that the lawyers were upset that I had talked to the arresting officer but I had nothing to hide. Why would Forland ~~withhold~~ withhold the DNA results? officer ponce had told Eva to keep my property, that I was never getting out, this at the time of arrest. I want this Co. investigated, I know to them and to maybe others that it might be easier to keep me in here compared to a lot of charges being filed against a lot of people but please don't let them do that, right their wrongs and prevent them from doing this to anyone else. Be careful and please help me the best way you know how. Sincerely,  
Denny R. Garcia.

P.S. Please excuse the spelling



105-06

18 I have enclosed a rough draft of the Helms papers as you can see I need help and I didn't want to file it because I believe then Butte Co. would have to be notified and I believe they would go to officer Collins and convince him to maybe change his report by <sup>convincing</sup> him I was really guilty or and Verenna and maybe even Flannagan if they haven't already, I say this only because I sent Mr. Goodwin a 26 page letter with all of this info in it, even about going to Kern Co. and Mr. Goodwin states he never received it, it was sent from Pleasant Valley State prison and god knows where it is and where it ended up at, I hope to god they didn't intercept it and send it to Butte Co., but even if they did things like not getting rid of a charge by ~~not~~ simply going to the DMV and presenting to the courts that Verenna had had and Torlano, withholding the DNA test and other evidence like the original (First interview with Ponce) video at the first interview with officer Ponce, they can't change those things, but as you can see this case is mostly based on investigating them in order to set me free so again god bless and never give up until I'm free. you may want to ask my Dad and Marlene if Eva went to the house and told them that officer Ponce had told her (right around my arrest) that she might as well keep my property because I'm never getting out and I believe is where all this started.

Let me apologize for repeating myself, there's more but I'm frustrated again, it's becoming unsafe for me in here, this is a bad prison Council Island, they have leaked out my charges to some inmates and I'm being harassed, so pray for my safety until help comes to get me out, I'm going to see about being transferred but as I said this is a bad prison so I don't know if that will happen, please come and help and this nightmare for me, try to get the highest organization to get involved to investigate Butte Co. (my case) without them knowing.

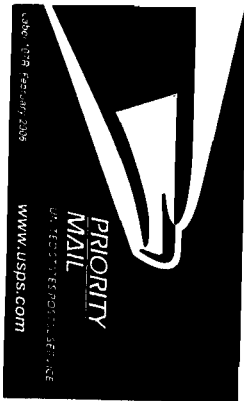
Good luck, God Bless, Betty

I'm sending this to San Francisco Innocence Project for DNA and sending a copy to Northern California Innocence Project for the rest



LARRY GARCIA VH 30508  
MCSP CH18-142 P.O. Box 49660  
LOVE CA 95640

"Legal-Mass"

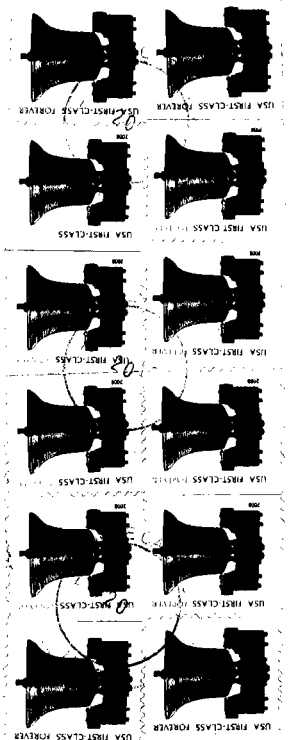


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8/18/08